



THE **WATER** NEWS

Volume 60 | No. 3 | Fall 2024

SOURCE

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The Water News Source is published quarterly by the Pennsylvania Section of the American Water Works Association. The purpose is to inform members, local and state officials, and elected representatives about water supply issues in Pennsylvania.

The ideas, opinions, concepts, procedures, etc., expressed in this publication are those of individual authors and not necessarily those of the PA-AWWA Section, its officers, general membership, or the editor. The Section maintains the right to edit all articles for clarity and space. Individuals or organizations are encouraged to submit suggestions, ideas, articles, and items for the calendar of events. Please submit as a Word file and email to melanie@paawwa.org.

Deadline to submit articles for the next newsletter is: October 18, 2024

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L. E. Chip Bilger II
Chair

Unleashing the Power of Volunteers

Dear Members and Friends of the PA-AWWA, It is with great pride and enthusiasm that I address you today, reflecting on the cornerstone of our association's enduring success: the unwavering dedication of our volunteers. The Pennsylvania Section of the American Water Works Association (PA-AWWA) has long been a beacon of excellence within the water industry, and this achievement is largely attributed to the selfless contributions of our members. Volunteerism is not merely a function of our operations; it is the lifeblood that propels our mission forward, ensuring that we continue to make a meaningful impact in the communities we serve.

THE POWER AND IMPACT OF VOLUNTEERS

Our volunteers embody the spirit of PA-AWWA, bringing their time, energy, and expertise to the table. Through their efforts, we are able to enrich the experiences of our members, expand our reach, and build stronger, more resilient communities. Our volunteers help us operate more cost-effectively, enabling us to reinvest in programs and services that further our mission. Moreover, volunteering within our organization offers professional growth opportunities, allowing individuals to develop new skills, build networks, and advance their careers. The sense of belonging and fellowship that our

volunteers foster is invaluable, creating a stronger, more united PA-AWWA community.

RECRUITING AND RETAINING OUR VOLUNTEER FORCE

To sustain and grow our volunteer base, we must remain strategic and intentional. Clear roles and expectations are crucial, as they provide volunteers with a roadmap for their contributions. Recognition and appreciation are equally important; by celebrating the hard work and dedication of our volunteers through public recognition, awards, and special events, we reinforce the value of their contributions. Offering opportunities for growth within the organization, flexible engagement options, and maintaining open, effective communication are also key to attracting and retaining dedicated volunteers.

VOLUNTEER SPOTLIGHT INITIATIVE

In recognition of the incredible impact our volunteers have, I am excited to announce the launch of a new initiative: the Volunteer Spotlight. Each edition, we will highlight one of our outstanding volunteers, sharing their story, contributions, and the difference they make within the PA-AWWA. I encourage you to submit a brief profile and picture of a dedicated volunteer whose work has had a significant impact on our section. Look out for these inspiring stories in our future editions.

UNLEASHING YOUR POTENTIAL: VOLUNTEER WITH PA-AWWA

The American Water Works Association (AWWA) is more than just a professional organization; it is a platform for water professionals to come together, share knowledge, and advance our industry. At the heart of AWWA's success, both nationally and within the Pennsylvania Section, are the volunteers who drive our initiatives forward. Whether you're seeking professional growth, networking opportunities, or a way to give back to the industry that supports us all, PA-AWWA offers a range of volunteer opportunities to suit your interests and expertise.

GET INVOLVED TODAY

We invite all of you who are passionate about water and committed to making a difference to join us as volunteers. Whether you want to contribute on a local level with the PA-AWWA or take part in national AWWA initiatives, your involvement is vital to our success. Together, we can continue to protect and improve Pennsylvania's water resources, build strong communities, and ensure a thriving future for our industry.

For more information on how to get involved, please contact the PA-AWWA office at:

- **Phone:** 717-774-8870
- **Email:** Melanie Greene at melanie@paawwa.org, or Chip Bilger at cbilger@wbwa.org.

Thank you for your continued support and dedication to the PA-AWWA.

Together, we can achieve great things. 💧

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Melanie Greene
Executive Director

Reflecting on Our First Year Managing PA-AWWA

We've just marked the first anniversary of taking on association management duties for PA-AWWA, and what a busy year it has been. Over the past year, we've gained valuable insights into PA-AWWA and the broader drinking water industry. The depth and breadth of knowledge required to thrive in this field are astounding, and members constantly face new information and evolving compliance regulations.

As the industry evolves, the Association must adapt alongside it, ensuring that your membership remains a valuable resource for education and up-to-date information. Our annual conference and various single-day events throughout the year are designed with this goal in mind, but we want to know – what more can we do to serve you better?

“

As the industry evolves, the Association must adapt alongside it, ensuring that your membership remains a valuable resource for education and up-to-date information.

”

Would you be interested in a monthly lunch webinar focusing on fresh ideas, such as water quality solutions, effective leadership and communication, or finance? Perhaps you'd prefer to learn through more plant tours or even educational game shows? Maybe you're curious about advocacy and the intricacies of state and federal

legislation – how about joining the “fly-in” in Washington? We could also help track professional development hours for you.

Here are a few ways you can make the most of your membership:

- **Take advantage of the six-month free membership:** Spread the word to your coworkers. Your friend gets to experience six months of membership benefits, and if they convert to a regular membership, you receive a prize!
- **Enhance your profile:** Consider adding your photo to your membership, or showcase your company's logo and bio on the website – every bit of marketing helps.
- **Stay updated:** Ensure your information is current to receive the quarterly *Water News Source*.

We're here to support you and enhance your experience with PA-AWWA. Let's work together to continue improving your membership and keeping you informed and engaged in this dynamic industry.

If you have just one idea (or 50) on how we can improve your membership, send me an email to melanie@paawwa.org. We don't know what's possible until we try. 💡

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WHY ATTEND?

PFAS are a group of synthetic chemicals that have been extensively used in various industries and are now prevalent in the environment and water supplies. Understanding their impact and finding effective solutions is crucial for safeguarding public health and the environment. This conference offers a unique platform for learning and collaboration among water professionals, researchers, and policymakers.

VENUE:

Penn Harris Conference Center
1150 Camp Hill Bypass
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STAY TUNED

More details, including registration information and the full conference agenda, will be announced soon. Mark your calendars and plan to join us for this important event! For the latest updates, please visit www.paawwa.org. We look forward to seeing you in October!

Best regards,
Pennsylvania Section of the American Water Works Association (PA-AWWA) Pennsylvania Water Environment Association (PWEA)

EXPERT SPEAKERS: GAIN INSIGHTS FROM LEADING EXPERTS IN WATER QUALITY AND PFAS RESEARCH.

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CONTACT US

For any inquiries, please contact us at:
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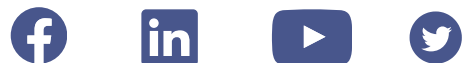


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Share Your Expertise with PA-AWWA: Become a Training Leader in the Water Industry

The PA-AWWA is seeking water industry experts from all fields to share their knowledge and experience with operators, managers, engineers, and regulators who work tirelessly to ensure clean water every day. We invite you to develop and deliver training classes tailored to your expertise, reaching the water professionals across Pennsylvania.

By partnering with PA-AWWA, you have the opportunity to position yourself as a subject matter leader and present your insights to water professionals throughout the state. We offer support in curating and approving your training material, and provide numerous opportunities for you to deliver these sessions statewide.

We are looking for classes of one, two, or three hours in length. If you're interested in contributing to our educational



programs, please contact me, Matt Seeker (mseeker@wsp-us.com), Chair of the Education and Technology Committee, to get started. 📧

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PA Section Raises \$50,000 for WFP, Celebrates Sold-Out Fundraisers

The PA Section of AWWA has successfully raised \$50,000 for the 2024 fiscal year to support Water For People, a global non-profit organization dedicated to addressing the global water crisis. Water For People operates across nine countries in Latin America, Asia, and Africa, working to provide communities with lasting access to clean water, sanitation, and hygiene services, ensuring these solutions endure for generations.

In July, the PA-AWWA Night at PNC Park benefitting Water For People sold out, with 100 attendees showing their support. The evening began with a lively tailgate party featuring food, beer, and non-alcoholic beverages before the Pittsburgh Pirates faced off against the Philadelphia Phillies. Although it was a tough night for Phillies fans, the Pittsburgh Pirates claimed victory with a 4-1 win. We extend our heartfelt thanks to the event sponsors: GA Industries, McMillen Engineering, Inc., and Aqua Pennsylvania, Inc., for making this event a success.

On Friday, August 16, the PA-AWWA Night at Citizens Bank Park benefitting Water For People sold 202 of the 204 available tickets, raising over \$3,000! The night kicked off with a tailgate party in Lot M, complete with cornhole games, music, delicious food, and cold drinks. It was a nail-biting ninth inning, but the Philadelphia Phillies emerged victorious with a 3-2 win over the Washington Nationals.

Special thanks to our generous sponsors: More Than Manners Dog Training, SHC, Worth & Company, Travis Electric,



AQUA, DM Coatings, Grace Media Services, Inc., Raritan Group, and Ferguson Waterworks, for their crucial support.

If you're interested in helping plan events like these for the PA AWWA Water For People Committee, consider joining us! We meet via Zoom six to eight times a year to organize events such as the Silent Auction at the PA-AWWA Conference, Water For People Night at the Pittsburgh Pirates, The GALA at William Penn Inn, and The Golf Outing at North Hills Country Club. If you'd like to get involved, please contact Nickole Petrozelli at nmuva@stonehillcontracting.com.

We envision a world where everyone has access to safe drinking water – forever.

Thank you for your ongoing support, and we hope to see you at our next Water For People fundraiser! 🍷

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76TH ANNUAL CONFERENCE AN OVERWHELMING SUCCESS

The Pennsylvania Section pulled off yet another successful conference. The 76th Annual PA-AWWA Technical Conference was held from May 13-15, 2024 at the Lancaster Marriott at Penn Square in the heart of downtown Lancaster, Pennsylvania.

Conference attendees were treated to an array of activities, which included opportunities for learning with the technical sessions, which were well attended and received and networking, such as several of the Young Professionals events.

Conference photo credits: Charlie Liu



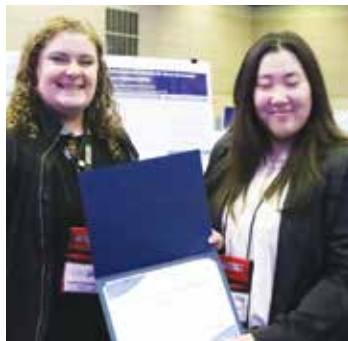
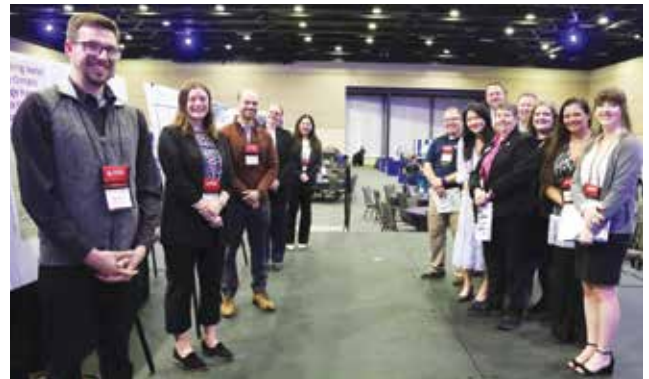
The keynote speaker for this year's conference was the Acting Secretary of the Pennsylvania Department of Environmental Protection, Jessica Shirley. Secretary Shirley plays a pivotal role in guiding the department in its mission to protect and preserve Pennsylvania's environment while fostering sustainable and equitable practices. She brings extensive experience to her role as Acting Secretary, having most recently served as the Executive Deputy Secretary, where she oversaw all programs.



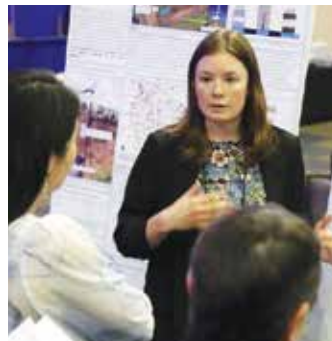
From left, incoming PA-AAWA Chair Chip Bilger, AWWA YP Advisor, Ji Im, Mary Gugliuzza, AWWA Representative, Zach Martin, AWWA Senior Section Relationship Manager, Cody Finan, and PA-AWWA National Director, Dany Preston.



Keynote speaker with PA-AWWA Leadership.



YPs Promote Fresh Ideas
Nayeon Kwak, right, Fresh Ideas poster winner with YP Committee Chair Caitlin Cavanaugh.



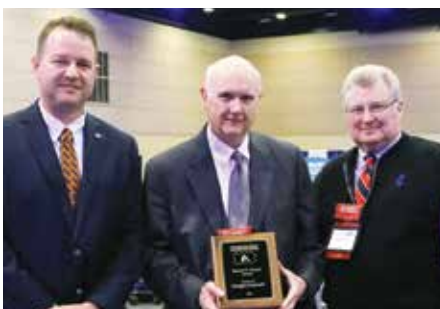
Zia Kyle was awarded the David A. Long Scholarship to continue her PhD goals at Carnegie Mellon.



Young Professionals had the opportunity to present their research during the 76th Annual PA-AWWA Technical Conference's Fresh Ideas poster presentations event.



Chester Water Authority won the Water Tasting Test again this year! Thank you to our volunteers, judges, and an enthusiastic emcee.



The 2024 winner of the Samuel S. Baxter Award is Douglas Komandt, center. Doug has served on the Board of Directors as Treasurer for many years.



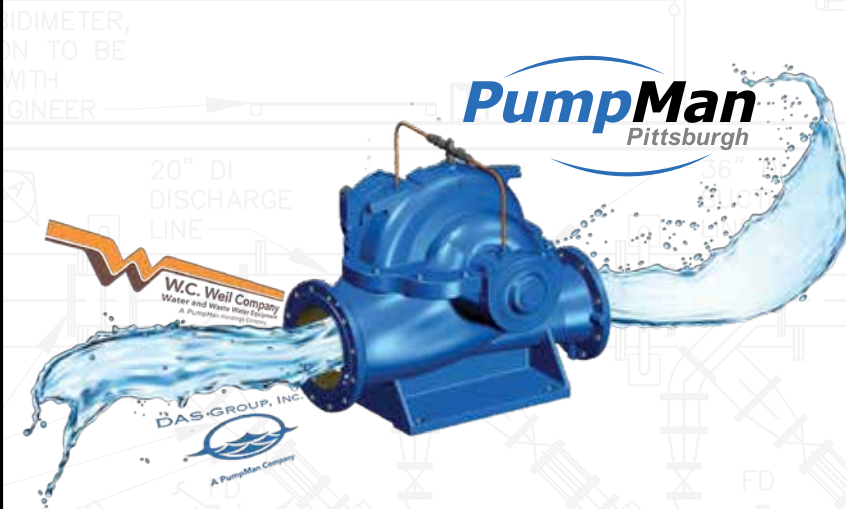
Peter Lusardi, left, was chosen as PA-AWWA's incoming National Director. Dan Preston, the current director, will complete his term in June 2025.



PA-AWWA Board of Directors presented Special Recognition Resolutions to James DeWolfe, center, Barry Herr, which was accepted by Kate O'Neill, and Chip Bilger.

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PA-AWWA, in collaboration with Pennsylvania Water Environment Association and Western Pennsylvania Water Pollution Control Association, held a "Treat and Greet" event where local YPs joined Pittsburgh Water and Sewer Authority for an exciting tour of their Aspinwall Water Treatment Plant. Attendees gained insight into how water is collected, treated, and distributed across the Pittsburgh area. YPs gathered afterwards for a happy hour at Hitchhiker Brewing Company. 🍷

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AWWA



Themes

Overarching Themes

1. AWWA is marking the 50th anniversary of the Safe Drinking Water Act by celebrating the achievements of water professionals and advocating for regulations developed through sound scientific process. (SDWA Anniversary, Fly-In & Toast, Drinking Water Week, ACE24)
2. AWWA is driving innovation and collaboration to achieve the vision set forth through Water 2050. (Water 2050, AWWA 2030 Strategic Plan, Artificial Intelligence, One Water, ACE24)
3. AWWA is building an inclusive water community that sustains a skilled workforce, invests in young leaders, embraces diversity and fosters a sense of belonging. (Diversity Standard, Transformative Water Leadership Academy, Water Equation scholarships, DEIB core principle, accessibility initiatives)
4. AWWA is leading water sector efforts to strengthen resilience against climate risks and cybersecurity threats. (Water Risk and Resilience Organization, AWIA compliance, source water protection, conference sustainability initiative)
5. AWWA shares best practices and knowledge to strengthen public trust, inspire innovation, and advance access to safe water globally. (UN Global Compact, lead/PFAS communications, Innovation Hub, International programs, CE Corps)

Policy-Focused Themes

1. Water consumers are best served by a regulatory framework that scientifically evaluates and prioritizes risks. (Integrity of SDWA process, cost/benefit analysis, emerging contaminants)
2. AWWA is advocating for a permanent low-income assistance program for water services to help those in need and sustain water systems. (Low-Income Customer Water Assistance Program, environmental justice, equity, public health)
3. PFAS contamination must be addressed throughout the water cycle, with cleanup costs absorbed by polluters, not by water systems and consumers. (PFAS regulations, Superfund liability exemption for water systems, affordability)
4. Water professionals are committed to protecting communities from lead in pipes and plumbing while we work for a future when lead is no longer in contact with drinking water. (LCRI, lead communications)
5. AWWA is helping water systems access funding to address water infrastructure and source water protection needs. (WIFIA, SRFs, Farm Bill)

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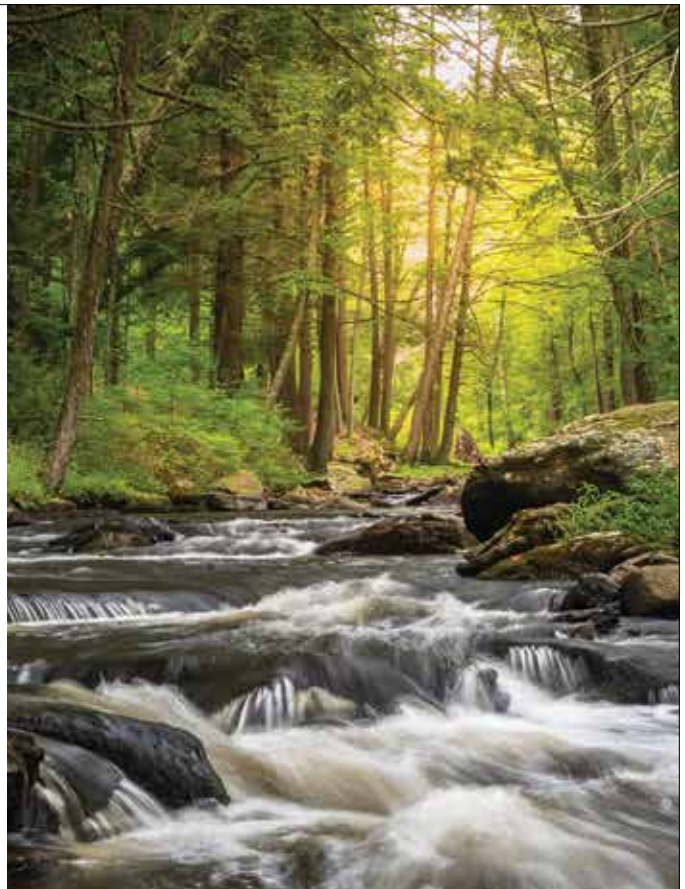
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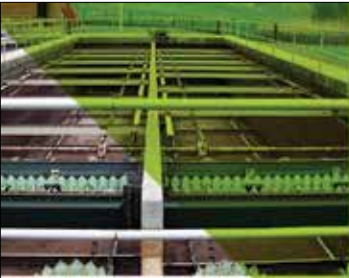
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PUBLIC WATER SYSTEMS AND EMINENT DOMAIN

By Michael Klein

The use of eminent domain to acquire property, including easements and rights of way, can be a significant challenge for public water systems (“water systems”). To provide readers with a clearer understanding of the eminent domain process in Pennsylvania, I have prepared this article.

The Pennsylvania Eminent Domain Code (the “Code”) regulates condemnations within the state. The Code defines “Condemn” as: “To take, injure or destroy property by authority of law for a public purpose.” While the Code itself does not grant Pennsylvania water systems the power of eminent domain, that power is conferred through various laws regulating investor-owned, authority-owned, and municipal-owned water systems. These water systems fall under the title of “Acquiring Agency,” defined in the Code as “Any entity, including the Commonwealth,

vested with the power of eminent domain by the laws of this Commonwealth.” These Acquiring Agencies are sometimes referred to herein as “condemnors.” Although the Code does not grant the power to condemn property, including easements and rights of way, Section 102(a) of the Code does provide “a complete and exclusive procedure to govern all condemnations of property for public purposes and the assessment of damages.”

Given that the facilities required to operate a Water System are often spread across large geographic areas, it is common for such systems to need to acquire ownership of parcels of land, as well as easements and rights of way across various properties. In many instances, water systems can acquire these parcels, easements, and rights of way through negotiation. However, when a landowner is unwilling to sell or

grant easements and rights of way, water systems may elect to become a condemnor and exercise the power of eminent domain to acquire the necessary properties for public use in the operation of the system. Water systems can take property, including easements and rights of way, through eminent domain in exchange for “Just Compensation.”

The condemnation process can be expensive, complicated, and lengthy, often involving court proceedings, expert witnesses, attorneys, boards of viewers, judges, and sometimes juries. The procedure for condemnation is outlined in Chapter 3 of the Code. Generally, a condemnation proceeding must be brought in the court of the county where the property is located or, if the property spans multiple counties, in the court of any one of those counties. To initiate the process, the condemnor must file a Declaration of Taking, along with the required security. The primary issue in most condemnation proceedings is determining the “Just Compensation” to which the property owner is entitled for the taking of their property.

After being served with a Declaration of Taking, the “condemnee” (property owner) has the right, under Section 306, to file preliminary objections within 30 days. These objections are limited to: (i) the power or right of the condemnor to appropriate the condemned property unless previously adjudicated; (ii) the sufficiency of the security; (iii) the Declaration of Taking; and, (iv) any other procedure followed by the condemnor. The condemnor acquires title to the condemned property on the date of filing the Declaration of Taking but does not gain possession until a court issues an order dismissing each of the condemnee’s preliminary objections, and the estimated just compensation determined by the condemnor is paid or



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offered to the condemnee, as required by Section 307. The payment of estimated just compensation is made without prejudice to the rights of either party to pursue a final determination of Just Compensation. Either the condemnor or the condemnee may petition the court to appoint a board of viewers to determine damages and establish the final Just Compensation. The board of viewers' determination may be appealed to the court, and the appeal may include a demand for a jury trial. If no jury trial is demanded, the court will try the case without a jury.

Section 701 of the Code provides: "A condemnee shall be entitled to just compensation for the taking, injury, or destruction of the condemnee's property, determined as set forth in this chapter. Other damages shall also be paid or awarded as provided in this title." "Just Compensation" is defined in Section 701 as the difference between the fair market value of the condemnee's entire property interest immediately before the condemnation (unaffected by the condemnation) and the fair market value of the property remaining immediately after the condemnation (as affected by the condemnation).

Section 703 of the Code outlines how fair market value is determined, considering factors such as:

- The present use of the property and its value for that use.
- The highest and best reasonably available use of the property and its value for that use.
- The machinery, equipment, and fixtures forming part of the real estate taken.
- Other relevant features, as provided by Chapter 11 (relating to evidence).

Section 1105 allows a qualified valuation expert to testify in detail about the valuation of the property on a comparable market value, reproduction cost, or capitalization basis, during direct or cross-examination.

Eminent domain cases that proceed to litigation can be complex, particularly those involving the condemnation of business or residential properties, where individuals and businesses are displaced. Water systems should consider engaging experienced engineers, real estate appraisers/valuation experts, accountants, other expert witnesses, and attorneys when litigating such cases. ♡



About the Author

Michael D. Klein is a Senior Counsel in the Harrisburg, PA, and Washington D.C. offices of Cozen O'Connor. He practices in the areas of utility and environmental law. He can be reached at mklein@cozen.com and 717-703-5903. This column is intended to be a discussion of legal issues in the water industry. It is not intended to be legal advice, or to establish any attorney-client relationships. Before making any legal decisions regarding anything discussed in this column you should always consult with an attorney.

Legislative Priorities to Address Key Water and Utility Laws This Fall

By Erik A. Ross

The Pennsylvania General Assembly returned to voting session in September, in a quick sprint to complete this two-year session before the election. As you may know, the two-year session of the General Assembly ends on November 30, 2024. All bills not sent to the Governor by the deadline will die and must be reintroduced next year when the General Assembly reconvenes for a new two-year session.

This fall, the House's legislative session calendar was pushed to the end of September/beginning of October due to two special elections slated for September 17, 2024, to fill the vacant state House Legislative Districts in Philadelphia due to resignations in July. The vacancies in the House put the Democrats at 100 seats to the Republicans 101 seats in the 203-seat chamber. The vacant seats are considered safe Democrat districts, but the election results will need to be certified and the winners sworn into office prior to the return to voting session so the House Democrats maintain their majority status. The following are the revised House and Senate's Fall session days as currently scheduled:

House Fall Voting Schedule

- September 23, 24, 25, 30
- October 1, 2, 21, 22, 23
- November 12, 13 (Generally reserved for internal caucus leadership elections)

Senate Fall Voting Schedule

- September 16, 17, 18, 30
- October 1, 2, 7, 8, 9, 21, 22, 23
- November 13, 14 (Generally reserved for internal caucus leadership elections)

With only nine voting days scheduled in the House and 12 in the Senate (assuming days are not canceled), the General Assembly will need to focus on what must get done. Two issues of concern to the water and wastewater industries fall into this category: the reauthorization of the Pennsylvania One Call Law and the reauthorization of Chapter 14 of the Public Utility Code.

Reauthorization of Pennsylvania's 'Underground Utility Line Protection Act' (PA One Call Law)

Act 50 of 2017ⁱ authorizes the Pennsylvania Public Utility Commission (PUC) to enforce provisions of the state's Underground Utility Line Protection Law, Act 287ⁱⁱ, also known as the "One Call Law." As a requirement of Act 50, all underground facility damages must be documented and submitted to the PA One Call System via a facility damage investigation form found on the PUC website and the PA One Call System websiteⁱⁱⁱ.

Included in Act 50 is the creation of a Damage Prevention Committee (DPC), which meets regularly to review alleged violations of the Act and determine appropriate responses, including, but not limited to, issuing warning letters or administrative penalties.

This Act is set to expire on December 31, 2024, so it will need to be reauthorized. Two bills have been introduced in the General Assembly to revise and reauthorize Act 50 of 2017, with the House Consumer Protection, Technology & Utilities Committee likely to take the lead on this issue.

House Bill 2189^{iv} (Matzie-D) amends the Underground Utility Line Protection Law, further providing for definitions, duties of facility owners, designers, excavators, and project owners, as well as damage prevention committee procedures, compliance orders, administrative penalties, and the Act's expiration date. This bill asserts that the Act will expire on December 31, 2031.

Status: House Consumer Protection, Technology & Utilities, 4/8/2024

Key duties outlined in this bill include:

- Facility owners must document communications with excavators to ensure the excavator is aware of any inability to locate facilities.
- Designers must submit a design ticket notification through the One Call System, respond timely to excavator notifications, inform project owners of their duties, and comply with PUC information requests within 30 business days.
- Excavators must submit a locate request to identify facility owner lines, avoid delegating this duty, and obtain authorization before repairing damaged underground facilities.
- Project owners must use sufficient subsurface engineering processes to determine the existence and positions of underground facilities.

Penalties: Violators of the Act must pay an administrative penalty to the PUC within 60 days of issuance. Failure to pay on time will result in an additional penalty of \$100 per day, not to exceed \$5,000.

We also note that **Senator Lisa Baker (R-Luzerne)** has introduced **Senate Bill 1237^v**, which similarly amends the Underground Utility Line Protection Law.

Status: Senate Consumer Protection & Professional Licensure, 6/6/2024

Reauthorization of Chapter 14 of the Public Utility Code ('Responsible Utility Customer Protection Act')

In 2014, Act 155 of 2014^{vi} was signed into law, reauthorizing the *Responsible Utility Customer Protection Act*, Chapter 14 of the Public Utility Code. However, Act 155 will expire on December 31, 2024, unless reauthorized again. Act 155 revised some Chapter 14 provisions related to low-income

programs, Protection from Abuse Orders, and medical certificate filings, and added new regulations and reporting requirements. Chapter 14 rules apply to cash deposits, reconnection of service, termination of service, payment arrangements, and the filing of termination complaints by consumers for electric, gas, and water.

The Act protects responsible bill-paying customers from rate increases attributable to the uncollectible accounts of customers who can afford to pay their bills but choose not to.

Again, two bills have been introduced in the General Assembly to revise and reauthorize Act 155 of 2014, with the Senate acting first by passing **Senate Bill 1017**.

Senate Bill 1017^{vii} (Boscola-D) amends Title 66 (Public Utilities) to provide for omnibus updates to Chapter 14 (Responsible Utility Customer Protection).

Status: Passed Senate 42-8, 5/7/2024 – In House Consumer Protection, Technology & Utilities, 5/8/2024

Key provisions include:

- Expanding the definition of “customer assistance program” to include an assistance program offered by a public utility, including water distribution or wastewater utilities.
- Expanding the definition of “public utility” to include a city natural gas distribution operation and a water and sewer authority in a city of the second class (PWSA).
- Payment Arrangements: Allowing an applicant or customer to receive an initial payment arrangement after retiring the entire balance of a previous payment arrangement, provided the current balance is unrelated to the previous balance.
- Extending the length of a payment arrangement by one year for customers with household income levels meeting certain thresholds.
- Expanding the timeline for written notice of utility service termination from 10 to 14 days, and the effective period of the termination notice from 60 to 70 days.
- Requiring that written notice be sent by first-class mail and, if affirmatively consented by the customer, also electronically. Electronic notice of termination can be sent by email, text, or both.
- Requiring a conspicuous posting of a termination notice at the service location in lieu of attempting personal contact at the time-of-service termination.
- Expanding the duration of a medical certificate from 30 days to a maximum of 60 days, with renewal permitted if the customer meets their payment obligations.
- Adding eligibility for LIHEAP Crisis Grants or other utility assistance for customers with past-due balances, allowing them to avoid termination without a termination notice.
- Expanding public utility termination notice requirements to allow for all forms of contact (in-person, written, phone, or electronic) and requiring posted notice of termination at the service location for customers terminated due to dishonorable payment after receiving a termination notice.
- Reconnection of Service: Requiring a public utility to return or credit a reconnection fee if the customer enrolls in a utility assistance program and remains enrolled for at least six months.

We note that **Representative Rob Matzie (D-Beaver)** has also introduced **House Bill 1077**.

House Bill 1077^{viii} (Matzie-D) amends Title 66 (Public Utilities) in responsible utility customer protection, further providing for the declaration of policy and definitions, and repealing provisions relating to cash deposits and household information requirements.

Status: House Consumer Protection, Technology & Utilities, 5/2/2023

Please be assured that we will keep you apprised of these issues as they move through the legislative process. With a little luck, let us hope these two important laws get reauthorized before the end of the session.

List of References

- Act 50 of 2017 – Underground Utility Line Protection Law <https://www.legis.state.pa.us/CFDOCS/LEGIS/LI/uconsCheck.cfm?txtType=HTM&yr=2017&sessInd=0&smthLwInd=0&act=0050>
- Act 287 of 1974 – Underground Utility Line Protection Law <https://www.legis.state.pa.us/CFDOCS/LEGIS/LI/uconsCheck.cfm?txtType=HTM&yr=1974&sessInd=0&smthLwInd=0&act=0287>
- PA One Call System website <https://www.pa1call.org/>
- House Bill 2189 (Matzie-D) <https://www.legis.state.pa.us/cfdocs/billInfo/billInfo.cfm?sYear=2023&sInd=0&body=h&type=b&bn=2189>
- Senate Bill 1237 (Baker-R) <https://www.legis.state.pa.us/cfdocs/billInfo/billInfo.cfm?sYear=2023&sInd=0&body=S&type=B&bn=1237>
- Act 155 of 2014 – “Responsible Utility Customer Protection Act,” Chapter 14 of the Public Utility Code <https://www.legis.state.pa.us/CFDOCS/LEGIS/LI/uconsCheck.cfm?txtType=HTM&yr=2014&sessInd=0&smthLwInd=0&act=0155>
- Senate Bill 1017 (Boscola-D) <https://www.legis.state.pa.us/cfdocs/billInfo/billInfo.cfm?sYear=2023&sInd=0&body=s&type=b&bn=1017>
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About the Author

Erik A. Ross is a Senior Associate at Milliron Goodman, and a regular contributor to *The Water News Source*.

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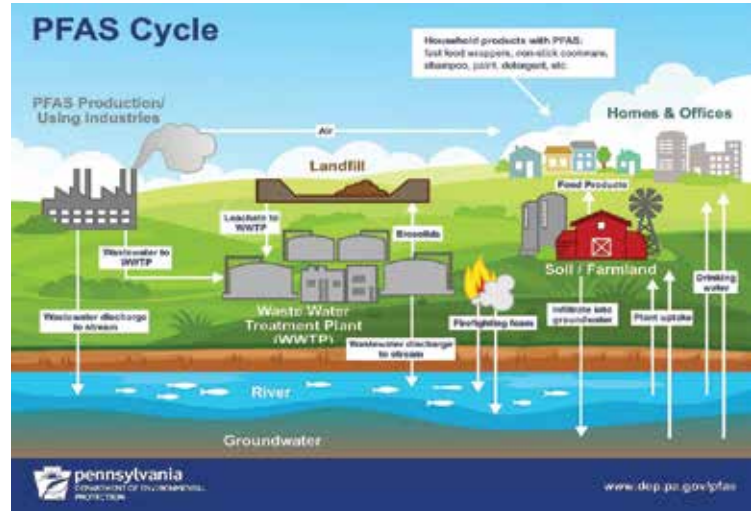
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HOW COMMUNITY OUTREACH AND PFAS GO HAND-IN-HAND

By Stacy Silva, Sustainability and Special Projects Manager at Entech Engineering, Inc.



This visual from the Pennsylvania Department of Environmental Protection (DEP) is a great resource.

A recent survey by the American Water Works Association (AWWA) and Morning Consult found that consumers place the highest trust in water utilities and scientists for information about tap water [Value of Water | American Water Works Association (<https://www.awwa.org>)].

This highlights the critical need for water systems to communicate accurately and promptly with their customers, especially regarding emerging PFAS regulations. As a key source of customer education, it is essential for water systems to develop outreach materials and strategies that offer accurate PFAS information and address concerns.

To assist in educating stakeholders, Entech Engineering has created this fact sheet, offering an introduction to PFAS, their uses, potential risks, regulatory developments, and practical solutions that customers can implement.

PFAS Public Outreach/Community Education

What Are PFAS?

PFAS, or per- and polyfluoroalkyl substances, are a group of man-made chemicals used since the 1950s in products like

non-stick cookware, waterproof fabrics, firefighting foams, and food packaging. Their water- and grease-resistant properties come from a strong carbon-fluorine bond, making them extremely stable. Known as “forever chemicals,” PFAS do not break down easily in the environment or human body, leading to accumulation in water, soil, and living organisms. This persistence raises concerns about potential health risks, including cancer, liver damage, immune system disruption, and reproductive issues, as they continue to build up over time.

How Can I Be Exposed to PFAS?

PFAS are commonly used in non-stick cookware, waterproof clothing, carpeting, firefighting foam, and various manufacturing processes. As a result, they are frequently found in industrial waste and discharge, as well as at Department of Defense sites and fire-training facilities.

Research indicates that exposure to PFOA and PFOS from today's consumer products is generally low, and most PFAS do not easily absorb through the skin. While higher exposure levels may occur through contaminated drinking water, activities such as showering, bathing, or washing dishes in water containing PFAS typically result in minimal exposure.

What Are the Potential Health Concerns?

The potential health impacts of PFAS are not yet fully understood. However, current scientific research suggests that long-term exposure to PFAS may be harmful and could potentially lead to the following:

- Decreased fertility and birth weight;
- Reduced immunity;
- Increased risk for some cancers, asthma, thyroid disease, and liver damage;
- Increased cholesterol levels.

Can You Better Explain the PFAS Cycle?

The PFAS cycle refers to the movement of per- and polyfluoroalkyl substances through the environment, from their production and use to their persistence in the environment. PFAS are synthetic chemicals used in various products, including non-stick cookware, water-repellent clothing, and firefighting foams. These chemicals can enter the environment through industrial discharges, wastewater treatment plants, and the degradation of PFAS-containing products. Once released, PFAS can contaminate soil, water, and air, eventually accumulating in living organisms, including humans. Due to their strong carbon-fluorine bonds, PFAS are highly resistant to degradation, leading to their persistence in the environment and potential long-term impacts on human health and ecosystems.

What Are Regulators and Your Water Company Doing to Address PFAS?

On April 26, 2024, the U.S. Environmental Protection Agency (EPA) finalized federal Maximum Contaminant Levels (MCLs) for PFAS, setting limits for six compounds, including PFOA and PFOS. These limits are lower than many state-specific regulations and will supersede state MCLs once they take effect.

In compliance with state and national regulations, water systems are currently testing, or will soon be testing, for potential contaminants, including PFAS. In addition to sharing these results with consumers, water systems are actively investigating sources of PFAS, working to eliminate them, and installing treatment systems as needed.

Presently, remediation technologies are limited to adsorption or ion exchange methods to immobilize and remove targeted PFAS contaminants. However, additional PFAS treatment technologies are under development and testing, with many aiming for full PFAS destruction, which would ultimately break the PFAS cycle.

What If I Have a Private Well?

Owning a private residential well means you are responsible for maintaining your own water system. This includes managing your well system and being aware of your surroundings to protect your drinking water and health. However, your local water

utility experts are available to assist with questions about sampling, testing, filters, and more.

What Can I Do?

While completely eliminating exposure to PFAS is challenging due to their widespread use, you can reduce your risk by minimizing exposure through the following measures:

- Avoid oil- and water-resistant food packaging.
- Opt for stainless steel or cast-iron cookware instead of non-stick coated items.
- Steer clear of stain-resistant coatings on carpets, furniture, and clothing.
- Avoid water-repellent treatments on clothing.
- Choose personal care products that do not contain “PTFE” or “Fluoro” ingredients.

If you choose to use a water filter, be sure to select filters tested and proven for PFAS removal.

Where Can I Get the Latest Information on PFAS?

Water utilities are your go-to experts! Contact your water provider with any questions!

Additional Resources

Federal Government Resources

- U.S. Environmental Protection Agency (EPA)
- Agency for Toxic Substances and Disease Registry (ATSDR)
- National Institutes of Health (NIH)
- Food and Drug Administration (FDA)
- United States Department of Defense (DOD)
- United States Navy
- United States Air Force, Civil Engineering Center

State Government Resources

- Association of State Drinking Water Administrators (ASDWA)
- Interstate Technology and Regulatory Council (ITRC)
- Environmental Council of the States (ECOS)
- Environmental Research Institute of the States (ERIS) 🌱

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Optimizing Disinfectant Residual Concentrations in the Distribution System...

Utilizing the Partnership for Safe Water Distribution System Optimization Program

By Michael McFadden, Stephanie Stoner, and Paul Handke

In the Summer issue of Water News Source, a portion of the article "Optimizing Disinfectant Residual Concentrations in the Distribution System" was published. Below is a rerun of the article's introduction and its wrap up.

Drinking water utilities strive to protect public health and provide the highest quality water in their delivered product, including ensuring optimal treatment of the water and the effective and safe delivery of the treated water to every customer.

One way to accomplish this goal is to participate in the Partnership for Safe Water (PFSW) program. Through the implementation of this program, a utility evaluates its current strengths and weaknesses using a self-assessment approach and then takes steps to make improvements using the program tools. Each utility can tailor this process to fit its staff resources and experience based on a schedule set by the utility. The PFSW

data collection software allows a utility to collect data and analyze operations, thereby enabling the review and improvement of day-to-day operational fluctuations. Over time, this approach allows participating utilities to see trends and develop prioritized action plans that they manage and schedule, based on the goals established by both the utility themselves and the goals of the PFSW program.

Within the PFSW, one of the programs that can be undertaken to improve water quality and utility operations is the Distribution System Optimization Program. Three primary criteria are evaluated within this program utilizing the PFSW

Self-Assessment for Distribution System Optimization manual:

- Disinfectant Residual,
- Pressure, and
- Main Break Frequency.

How Has the PFSW Process Helped Aqua Pennsylvania with the Optimization of the Disinfectant Residuals within the Distribution Systems at Your Uwchlan Water System?

"Pulling the data and looking at it year after year shed a lot of light on some of the trouble spots in our system. Our treatment, distribution, and operations team looked at ways to improve these locations as a whole. This included increasing system residuals, adjusting operations to better fluctuate tank elevations, and the discovery of a few unknown closed valves that were having a significant impact on system sample residuals and water movement."

Has the Continued Disinfection Residual Testing Process Resulted in Any Changes to How the Laboratory, Distribution, and/or Treatment Staff Review/Respond to the Data Collected?

"Yes, this process made us collect, and analyze more data. We had to update our data collection systems, in the form of laboratory reports, and staff awareness. By adding these locations to this notification report, when trigger levels were reached, the entire team was notified of issues, and began to act to catch the issue early. Now, issues won't evolve into larger and more widespread issues."

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What Is One Key Piece of Advice You Would Give Someone Who Is Either Considering or Just Started the PFSW Distribution System Optimization Program?

"If they have systems other than the initial assessment system, we'd encourage them to think though how the various optimization criteria can be used to optimize their other systems concurrently. For example, at Aqua, we performed the Distribution assessment on our Uwchlan System, but when we made changes to policies or SOPs (Standard Operating Procedures) we enacted those improvements in all of our neighboring systems."

For more information on joining the Partnership Treatment Plant Optimization Program or the Distribution System Optimization Program, please contact Melanie Greene at the PA-AWWA (717-774-8870). Membership applications can also be found on the PFSW website at www.awwa.org/partnership.

This is the first of three articles about the criteria used to assess distribution system optimization through the Partnership for Safe Water. The next two articles will address pressure management and main break frequency.


Thanks to Aqua Pennsylvania staff for their participation in the Partnership for Safe Water and for providing their perspectives for this article! 🍷

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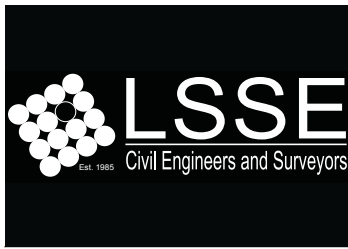


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PIKE TOWNSHIP WTP CELEBRATES 10 YEARS OF EXCELLENCE

A local awards ceremony was held at the Pike Township Water Treatment Plant on August 15 to honor the utility personnel for achieving 10 consecutive years of meeting the Partnership for Safe Water Treatment Program goals as a Director’s Award facility. Accepting the award (left to right in the photo) are Craig Crittendon, Jarett Anderson, Blaine Witherite, Josh Peters, Randy Bloom, and Casey Siegel.

Randy Bloom, Manager, stated, “We recently conducted a full treatment evaluation from raw water to the ends of our distribution system using the guidelines provided in the Treatment self-assessment manual. By utilizing the tools supplied by the Program, we identified the portion of our treatment process that was not optimized for the reduction of disinfection by-products (DBPs). This allowed us to implement changes that have successfully reduced DBP levels in our system.”

The **Aqua PA – Uwchlan Distribution System**, as previously reported, received the Phase III Director’s Award. Aqua PA staff members involved in the development of their Phase III Self-Assessment took advantage of an opportunity to earn 20 contact hours toward their continuing education certification requirement. The PA Department of Environmental Protection



The PA Section congratulates Pike Township on their 2024 award.

collaborates with the Partnership staff to offer 20 contact hours upon successful completion of the Phase III Treatment or Phase III Distribution phases and 30 contact hours upon receiving the Phase IV Treatment Excellence Award. Staff members are eligible if they are listed in the respective reports as active participants in those Phases of the Partnership program and pass a brief knowledge check quiz within one year of receiving the award.

All those who took the quiz at the Aqua PA Bryn Mawr facility passed. Congratulations to those staff members – you earned it through your commitment to safe drinking water! 💧

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