

	CBPC Legislative & Regulatory Issues Tracking - 2017		
NATIONAL ISSUES			
Issue / Bill Number	Bill or Activity Description	Bill or Activity Status / Patron	Background Information / Links
S. 612, Water Infrastructure Improvements for the Nation Act (WIIN Act)	Allocated \$20 M for WIFIA program to issue loans. AWWA and others were hoping for \$35 M, but this was a good step.	Signed by President Obama in December.	http://waterfm.com/president-signs-wiin-act/
Water Infrastructure Finance and Innovation Act (WIFIA) Funding Authorized	EPA has launched the WIFIA program with \$17 M available in loans to fund infrastructure projects. EPA estimates the loans can leverage \$1 B in revenue.	January 10, 2017 EPA launches WIFIA program.	www.epa.gov/wifia
State Revolving Fund			
Municipal bonds			
*Patricia Sinicropi, NACWA will be providing an overview of the above national issues.			

		CBPC Legislative & Regulatory Issues Tracking - 2017	
Maryland			
Calendar of key dates:	Jan. 11 – Session convenes Jan. 18 – Final date for Governor to introduce budget bill Feb. 3 – Senate bill introduction deadline	Feb. 10 – House bill introduction deadline Mar. 20 – Crossover	April 3 – Budget bill to be passed by both Chambers April 10 – Adjournment
Bill Number/Patron	Bill or Activity Description	Status	Background Information / Links
Drinking Water			
HB 270 (Lafferty)	Environment - Testing for Lead in Drinking Water - Public and Nonpublic Schools. Requiring MDE, in consultation with the State Department of Education, to adopt specified regulations, on or before October 1, 2017, to require periodic testing for the presence of lead in each drinking water outlet located in an occupied public or nonpublic school building; authorizing the Department of the Environment, in consultation with the State Department of Education, to provide a waiver from specified testing requirements under specified circumstances; etc.	In the House - First Reading Environment and Transportation and Ways and Means 1/23/17	http://mgaleg.maryland.gov/webmga/frm/Main.aspx?pid=billpage&stab=01&id=hb0270&tab=subject3&ys=2017RS
Nutrient credit program			
SB 314 (President)	Clean Water Commerce Act of 2017. Authorizing funds in the Bay Restoration Fund to be used for the costs associated with the purchase of specified nutrient credits, not to exceed \$10,000,000 per year; and requiring MDE to consult with the Secretary of Agriculture and the Secretary of Natural Resources when developing specified regulations.	1/20/17 First reading, Education, Health, and Environmental Affairs committee.	http://mgaleg.maryland.gov/webmga/frm/Main.aspx?id=sb0314&stab=01&pid=billpage&tab=subject3&ys=2017RS
Wastewater/Septic			
SB 280 (Guzzone)	Non-woven wipes labeling	The bill has support from CBC, NACWA and MDE Secretary Grumbles, and the District of Columbia's recent legislation as a model. First hearing will be before Education, Health, and Environmental Affairs Committee (tbd)	http://mgaleg.maryland.gov/webmga/frm/Main.aspx?id=sb0280&stab=01&pid=billpage&tab=subject3&ys=2017RS

Bill Number/Patron	Bill or Activity Description	Status	Background Information / Links
HB 281 (Lafferty)	Environment - On-Site Sewage Disposal Systems - Best Available Technology for Nitrogen Removal – Prohibition. Same as HB 281	In the House - First Reading Environment and Transportation	http://mgaleg.maryland.gov/webmga/frame.aspx?id=hb0281&stab=01&pid=billpage&tab=subject3&ys=2017RS
SB 266 (Lafferty)	Environment - On-Site Sewage Disposal Systems - Best Available Technology for Nitrogen Removal – Prohibition. Same as HB 281	Hearing 1/31 at 1:00	http://mgaleg.maryland.gov/webmga/frame.aspx?pid=billpage&stab=03&id=sb0266&tab=subject3&ys=2017RS
Sourcewater protection/Environment/Energy			
SB 186 (Kagan)	Environment - Polystyrene Food Service Products and Polystyrene Loose Fill Packaging - Prohibition on Sale. Prohibiting a person from selling in the State specified expanded polystyrene food service products or expanded polystyrene loose fill packaging on or after January 1, 2018; prohibiting specified food service businesses from selling or providing food in specified expanded polystyrene food service products on or after January 1, 2018; authorizing a county health department to impose specified penalties for violations of the Act; requiring a county health department to notify the Department of specified violations; etc.	In the Senate - Hearing 1/31 at 1:00 p.m. (Education, Health, and Environmental Affairs)	http://mgaleg.maryland.gov/webmga/frame.aspx?id=sb0186&stab=01&pid=billpage&tab=subject3&ys=2017RS
SB 174 (Manno)	Income Tax Credit - Clean Energy Production - Qualified Energy Resources (Maryland Clean Energy Incentive Act). Altering the definition of "qualified energy resources" to mean wind, solar energy, or marine and hydrokinetic renewable energy that may be used to produce energy that qualifies for the clean energy production income tax credit.	In the Senate – First Reading Budget and Taxation	http://mgaleg.maryland.gov/webmga/frame.aspx?id=sb0174&stab=01&pid=billpage&tab=subject3&ys=2017RS

Proposed FY18 Budget. On January 17, Governor Hogan presented his proposed FY18 spending plan.

- \$60 million for the Bay Restoration Fund
- \$51.3 million for the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund
- \$123.5 million in Water Quality Revolving Loan Funds
- \$15 million for septic system upgrades

 METROPOLITAN WASHINGTON Council of Governments	CBPC Legislative & Regulatory Issues Tracking - 2017		
Virginia			
Calendar of key dates: Jan. 11-Session convenes; Jan. 20-Last day to introduce new legislation. Feb. 11-Crossover; Feb. 25 Adjournment			
Bill Number/Patron	Bill or Activity Description	Status	Background Information / Links
Combined Sewer Overflows			
HB 1423 (Albo)	Potomac River Watershed; DEQ to identify owner of any combined sewer overflow outfall, etc. Bill requiring DEQ to identify owners of combined sewer outfalls into the Potomac River Watershed, and bring them into compliance with EPA's CSO Control Policy, the CWA, and Virginia Law by July 1, 2027.	01/23/17 House: Assigned Ag, Chesapeake, and Natural Resources committee.	https://lis.virginia.gov/cgi-bin/legp604.exe?ses=171&typ=bi&val=HB1423
SB 818 (Surovell)	Potomac River Watershed; DEQ to identify owner of any combined sewer overflow outfall, etc. Bill requiring DEQ to identify owners of combined sewer outfalls into the Potomac River Watershed, and bring them into compliance by July 1, 2027.	01/12/17 Senate: Incorporated by Agriculture, Conservation and Natural Resources (SB898-Stuart) (12-Y 1-N)	https://lis.virginia.gov/cgi-bin/legp604.exe?ses=171&typ=bi&val=SB818
SB 898 (Stuart)	DEQ; combined sewer overflow (CSO) outfalls; Potomac River Watershed. The bill requiring DEQ to identify owner's of combined sewer outfalls, and requires the owner of such an outfall to bring it into compliance with the EPA policy by July 1, 2020. When the owner is a locality and it fails to meet the 2020 compliance deadline, the bill directs the Governor to withhold all state appropriations from the locality until it brings the outfall into compliance. The bill does not apply to any outfall for which a higher level of control is necessary to comply with a TMDL. REVISED: Date changed to 2025, and instead of removing state appropriations, substitute bill directs DEQ to determine penalty for non-compliance.	01/23/17 Senate: Read third time and passed Senate (39-Y 0-N 1-A)	https://lis.virginia.gov/cgi-bin/legp604.exe?ses=171&typ=bi&val=SB898
SB 819 (Ebbin)	City of Alexandria; Combined Sewer Overflow (CSO) system permit; Potomac River outfall. Directs the State Water Control Board to include in the next renewal of the Virginia Pollutant Discharge Elimination System permit for the Combined Sewer Overflow (CSO) system of the City of Alexandria (City) a requirement that the City complete by January 1, 2029, an assessment of the discharges from Combined Sewer Outfall Number 001 into the Potomac River. The bill requires the assessment to incorporate any improvements meant to address discharges from any part of the City's CSO system and to determine what control technologies may be required to meet applicable regulations.	1/12/17 Stricken from docket.	http://lis.virginia.gov/cgi-bin/legp604.exe?171+sum+SB819

Bill Number/Patron	Bill or Activity Description	Status	Background Information / Links
Stormwater			
HB 1597 (Webert)	Local stormwater management utility; waiver of charges; stormwater retained on site. Requires any locality establishing a stormwater management utility to waive charges for a person whose approved stormwater management plan indicates that the stormwater produced by his property is retained and treated on site.	01/12/17 House: Assigned to Committee on Counties, Cities and Towns	https://lis.virginia.gov/cgi-bin/legp604.exe?ses=171&typ=bil&val=HB1597
Budget Amendments	Add \$20M to Stormwater Local Assistance Fund (SLAF). There are three house bills and a senate bill all proposing budget amendments to add \$20 M in funding to SLAF in FY 18.	House bills requests general fund dollars for SLAF. Senate (Hanger) bill requests funds via bonds.	http://budget.lis.virginia.gov/amendments/2017/1/
Drinking water			
HB 2089 (Kory)	Local school boards; school buildings; potable water; lead testing. Requires each local school board to develop and implement a plan to test potable water from sources identified by the U.S. Environmental Protection Agency as high priority as often as is required of the supplying public water system by the Virginia Department of Health's Office of Drinking Water, giving priority in such testing plan to schools whose school building was constructed, in whole or in part, before 1986. The bill requires such plan and the results of each such test to be posted on the local school board's website and transmitted to and archived by the Virginia Department of Health's Office of Drinking Water. The bill stipulates that if the result of any such test indicates a level of lead in the potable water that is at or above 20 parts per billion, the school board shall develop, implement, and post on its website a plan to remediate the level of lead in the potable water to below 20 parts per billion and confirm such remediation by retesting the water at two consecutive six-month intervals.	01/20/17 House: Assigned Education sub: Elementary and Secondary Education	https://lis.virginia.gov/cgi-bin/legp604.exe?ses=171&typ=bil&val=hb2089
HB 2384 (Lopez)	Drinking water; lead levels. Directs the State Board of Health to adopt regulations establishing the action level for lead in drinking water as 10 parts per billion beginning January 1, 2018, and as five parts per billion beginning January 1, 2022. The bill authorizes the Board to establish lower action levels for lead in drinking water.	01/17/17 House: Referred to Committee on Health, Welfare and Institutions	https://lis.virginia.gov/cgi-bin/legp604.exe?ses=171&typ=bil&val=hb2384

HJ 639 (Lopez)

Study; Office of Drinking Water; study of the Commonwealth's drinking water infrastructure and oversight of the drinking water system; report. Requests the Office of Drinking Water of the Department of Health (the Office) to study the Commonwealth's drinking water infrastructure and oversight of the drinking water system. In conducting its study, the Office shall (i) identify problems or issues that may result in contamination of the Commonwealth's drinking water supply with lead or copper or increase the likelihood of contamination of the Commonwealth's drinking water supply with lead or copper and (ii) develop recommendations for addressing such problems or issues.

01/12/17 House: Assigned Rules sub:
Studies

<http://lis.virginia.gov/cgi-bin/legp604.exe?ses=171&typ=bil&val=hj639>

Bill Number/Patron	Bill or Activity Description	Status	Background Information / Links
Wastewater			
HB 2311 (Cox)	Nutrient Offset Fund -Requires the Director of the Department of Environmental Quality (DEQ) to use certain funds to purchase nutrient credits for point or nonpoint sources that achieve reductions beyond the requirements of state or federal law or the Chesapeake Bay Watershed Implementation Plan. The bill directs DEQ to establish procedures for distributing moneys from the Nutrient Offset Fund with certain requirements. This establishes such a fund, but does not put funding into it.	1/23/17 Passed in House.	https://lis.virginia.gov/cgi-bin/legp604.exe?ses=171&typ=bi&val=hb2311
Sourcewater Protection/Environment			
SB 925 (Petersen)	Plastic bag tax in the Chesapeake Bay Watershed. Imposes a 5 cent plastic bag tax on customers by certain retailers within the Chesapeake Bay watershed. The retailers could retain one cent out of the five cents. The revenues would support the Chesapeake Bay Watershed Implementation Plan.	12/27/16 Senate: Referred to Committee on Finance 1/18/17 Bill has been killed.	https://lis.virginia.gov/cgi-bin/legp604.exe?ses=171&typ=bi&val=SB925
SB 1383 (Surrovell)	Coal ash; treatment by utilities; recycling. Requires electric utilities to recycle as much of their stored coal ash as is imported into the Commonwealth each year, on a pro rata basis. The bill directs the Department of Environmental Quality (DEQ) and the State Water Control Board (the Board) to include in any permit authorizing the storage of coal ash a requirement that the utility treat an amount of its coal ash equal to its share of the total amount of coal ash in Virginia multiplied by the amount of ash that is imported that year for use in concrete or other products. The bill authorizes each utility to recover its treatment costs from its ratepayers while requiring the utility to make an effort to sell the treated coal ash. Finally, the bill directs the Department of Transportation to enter into a memorandum of understanding with DEQ as required to permit the transportation and treatment of coal ash.	01/11/17 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources. Bill is unlikely to pass unless Dominion is okay with it.	https://lis.virginia.gov/cgi-bin/legp604.exe?ses=171&typ=bi&val=SB1383