

# Agenda

## Understanding Pennsylvania Surface Water and Groundwater Rights

M. Wendaur

- Ownership of Pennsylvania surface and groundwater:
  - Public waters, private rights and prior appropriation
- Regulation of surface water rights
- Obtaining surface water rights
- Application and permitting process
- Amending surface water rights
- Current issues in surface water rights
- Regulation of groundwater rights
- Obtaining groundwater rights
- Application and water well permitting process
- Current issues in groundwater rights

## PFAS Update

S. Hann

- PFAS overview
- Pennsylvania
  - Pennsylvania Safe Drinking Water PFAS MCL rule
- Environmental Protection Agency
  - History of federal initiatives
  - Health advisory levels
  - PFAS strategic roadmap
- Proposed rulemakings
  - PFAS National Primary Drinking Water Regulation
  - Designation of PFAS as CERCLA hazardous substances
- Recent developments and related issues

## Sanitary Sewer Privatization Efforts and Ratepayer Opposition

M. Clarke, L. Gallagher

- Act 12
- Effects of privatization
- Case studies
- Proposed changes to Act 12
- East Whiteland Township/Commonwealth case

## Water Utility Regulation

W. Snyder

- Lead service lines
- Types of water utilities
- Regulation of utility service areas
- Application and permitting process for service areas
- Utility construction design standards and approvals
- Current issues in utility service area regulation

### Can't Attend? Order the Webinar as an On-Demand Package!

Recordings of this webinar are available for purchase. See course listing online for more information and please refer to specific state licensing rules or certification requirements to determine if this learning method is eligible for continuing education credit.

# Pennsylvania Water Rights and Regulation

Live, Interactive Webinar - Monday, November 6, 2023

NON-PROFIT  
U.S. POSTAGE PAID  
EAU CLAIRE, WI  
PERMIT NO. 2016

HalfMoon Education Inc.  
PO Box 278  
Altoona, WI 54720-0278



## Learning Objectives

### You'll be able to:

**Examine** the common laws and statutes that govern ownership and use of Pennsylvania waters.

**Explore** the processes for gaining access to Pennsylvania surface water and groundwater.

**Explore** Pennsylvania and EPA efforts to regulate PFAS contamination in water.

**Discuss** efforts to privatize sanitary sewer systems.

**Examine** water utility regulations, including the regulation of utility service areas and efforts to replace lead service lines.



## HalfMoon Education Live Webinars

# Pennsylvania Water Rights and Regulation

Live, Interactive Webinar - Monday, November 6, 2023



**Discuss** the legal principles governing water ownership and use in Pennsylvania

**Explore** regulation of groundwater rights

**Get** an update on efforts to regulate PFAS contamination in Pennsylvania water

**Examine** efforts to privatize sanitary sewers

**Discuss** issues in water utility regulation

## Continuing Education Credits

**Professional Engineers**  
7.0 PDHs

**Geologists**  
7.0 PDHs

**Attorneys**  
7.0 CLE Hours

**Certified Planners**  
CM|7



# Webinar Information

## Log into Webinar

7:30 - 8:00 am EST

## Break

12:15 - 12:45 pm EST

## Morning Session

8:00 am - 12:15 pm EST

## Afternoon Session

12:45 - 4:00 pm EST

## Tuition

**\$319** for individual registration.

**\$289** for two or more registrants from the same company at the same time.

**Included with your registration:** PDF seminar manual.

## How to Register

- Visit us online at [www.halfmoonseminars.org](http://www.halfmoonseminars.org)
- Call customer service at 715-835-5900

Webinars are presented via GoToWebinar. Instructions and login information will be provided in an email sent close to the date of the webinar. For more information, please visit our FAQ section of our website, or visit [www.gotowebinar.com](http://www.gotowebinar.com).

**Cancellations:** Cancel at least 48 hours before the start of the webinar, and receive a full tuition refund, minus a \$39 service charge for each registrant. Cancellations within 48 hours will receive a credit toward another webinar or the self-study package. You may also authorize another person to take your place.

# Credit Information

This webinar is open to the public and is designed to qualify for up to 7.0 PDHs for professional engineers and geologists in Pennsylvania. Professionals licensed in other states may be able to claim the hours earned from this webinar; please refer to specific state rules to determine eligibility.

The Pennsylvania State Registration Board for Professional Engineers, Land Surveyors and Geologists does not provide preapproval for any continuing professional competency activities, courses or providers.

HalfMoon Education is an approved CLE provider for Pennsylvania attorneys (No. 1613); this webinar offers 7.0 CLE hours to Pennsylvania attorneys.

HalfMoon Education is an approved CM Provider with the American Planning Association. This course is registered for CM | 7 for Certified Planners.

Attendance will be monitored, and attendance certificates will be available after the webinar for those who attend the entire course and score a minimum 80% on the quiz that follows the course (multiple attempts allowed).

## On-Demand Credits

The preceding credit information only applies to the live presentation. This course in an on-demand format may not be eligible for the same credits as the live presentation; please consult your licensing board(s) to ensure that a structured, asynchronous learning format is appropriate.

# Faculty

**Mark Wendaur** serves as counsel in the Offit Kurman Attorneys at Law's Business Law and Transactions practice group. Mr. Wendaur maintains a broad corporate and transactional practice focusing on mergers and acquisitions, commercial agreements, corporate governance, venture capital transactions, and corporate restructurings. He also represents clients in commercial real estate and energy matters, including transactions, financing, land use, and zoning issues. Mr. Wendaur represents clients of all sizes, including individuals, closely held companies, investor groups, publicly traded companies, and government entities. He regularly provides strategic business counseling to these clients to help them achieve their goals and business objectives. Prior to joining Offit Kurman, Mr. Wendaur owned and operated a small law firm representing small businesses, startups, real estate developers, and government entities in transactional and litigation matters. He also worked at a regional Philadelphia-based law firm servicing a wide range of domestic and international companies. Mr. Wendaur obtained his J.D. degree from Widener School of Law and his bachelor's degree from Allegheny College.

**Steven Hann** focuses his practice on environmental law and municipal law, and chairs the Environmental Law Department at Hamburb, Rubin, Mullin, Maxwell & Lupin P.C. He represents a diverse client base, which includes municipal authorities, municipalities, business entities, builders and developers. Mr. Hann personally handles all facets of a sophisticated environmental law practice, such as environmental litigation with federal and state government agencies and private parties; advising/representing clients on regulatory, permitting and compliance matters; and guiding clients on environmental issues arising in business and real estate transactions. He provides clients with experienced counseling on federal and state legislative and regulatory developments. Mr. Hann has developed an extensive practice in the area of municipal law, with a specific emphasis on municipal authorities. He is the East Region Solicitor (responsible for the eastern half of Pennsylvania) for the Pennsylvania Municipal Authorities Association ("PMAA"), an organization representing the interests of over 700 municipal authorities in Pennsylvania. Mr. Hann provides guidance to PMAA member authorities and firm clients on a variety of municipal authority-related matters. He also provides experienced counseling on various statutes. Mr. Hann has been appointed as both solicitor and special counsel for municipal entities, and has been retained as both an expert and mediator in matters involving municipal authorities. He is a frequent author and speaker on both environmental law and municipal law-related issues.

**Mike Clarke** is the managing partner of Rudolph Clarke, which represents townships, water and sewer authorities, school districts and other governmental entities in Bucks, Montgomery, Delaware, and Lycoming Counties. Throughout his career, Mr. Clarke has represented numerous Water and Sewer Authorities, including the Borough of Conshohocken Authority, North Wales Water Authority, Schwenksville Borough Authority, and the Whitemarsh Township Authority and Special Counsel to Delaware County Regional Water Authority.

**Lauren Gallagher** is a partner at Rudolph Clarke. She has served as the solicitor and assistant solicitor for several municipal authorities, including the Borough of Conshohocken Sewer Authority, the East Norriton-Plymouth-Whitpain Joint Sewer Authority, the Richland Township Water Authority and the Northampton Bucks County Municipal Authority.

Mr. Clarke and Ms. Gallagher advise the firm's municipal clients on a multitude of issues including compliance with Federal and state laws and local ordinances. Mr. Clarke and Ms. Gallagher represent the firm's clients at public meetings, hearings and matters before the Courts in Pennsylvania. They also served as the Solicitors for the Towamencin Township Government Study Commission, which was formulated to explore the ways in which a Home Rule Charter could be used to stop a proposed sale of the public sanitary sewer system, among other things. Mr. Clarke and Ms. Gallagher are currently representing two residents in their lawsuit against the Township's Board of Supervisors which seeks to compel them to comply with the terms of the newly adopted charter.

**Whitney Snyder** focuses her legal practice at Hawke, McKeon & Sniscak LLP on administrative litigation in the public utility, pipeline safety, natural gas, electricity, municipal and private water and wastewater sectors, practicing predominantly before the Pennsylvania Public Utility Commission for the past ten years. Ms. Snyder has substantial experience in assisting: public utilities with utility regulatory compliance and administrative litigation including rate cases, service complaints, procurement planning, mergers and acquisitions, tariff interpretation and changes, comment proceedings regarding policy and regulation proposals. She works with pipeline operators, property developers, unregulated entities with questions of PUC oversight and compliance and municipalities with disputes with public utilities. She also practices in the areas of appellate litigation and argues appeals before the Pennsylvania Commonwealth Court. Ms. Snyder is vice chair of the Administrative Law Section, a past chair of the Public Utility Law Section and is a member of the Commission on Women in the Profession of the Pennsylvania Bar Association. She joined HMS in 2013 after graduating from Widener Commonwealth School of Law. Prior to working at HMS, Ms. Snyder interned at the Supreme Court of Pennsylvania. She also interned as a Law Clerk in the PUC's Law Bureau.

or scan here



Learn More and Register:  
**[www.halfmoonseminars.org](http://www.halfmoonseminars.org)**  
Customer Service (715) 835-5900 Ext. 1

## Can't Attend? Order the Webinar as an On-Demand Package!

Recordings of this webinar are available for purchase. See details online for more information and please refer to specific state licensing rules or certification requirements to determine if this learning method is eligible for continuing education credit.