THOMAS T. NIESEN Direct Dial: 717.255.7641 tniesen@tntlawfirm.com

November 4, 2019

Via Electronic Filing

Rosemary Chiavetta, Secretary Pennsylvania Public Utility Commission 400 North Street, 2<sup>nd</sup> Floor Harrisburg, PA 17120

Re:

PaPUC Docket No. M-2018-2645983

Pa. P.U.C. v. North Heidelberg Sewer Company

PaPUC Docket No. I-2018-3001161

Section 529 Investigation - North Heidelberg Sewer Company

Dear Secretary Chiavetta:

We are counsel to Aqua Pennsylvania Wastewater, Inc. ("Aqua") concerning the above matters. In its Order entered February 9, 2018, at M-2018-2645983, the Public Utility Commission identified Aqua as receiver for the North Heidelberg Sewer Company and, in Appendix 10 of that Order, directed Aqua to "[s]ubmit an initial status report with the Commission within 60 days of assuming operations and then quarterly thereafter to detail any relevant updates pursuant to duties and responsibilities assigned through receivership." As required by subpart 10 of Appendix A, we are submitting, via electronic filing with this letter, Aqua's Seventh Status Report dated November 4, 2019. We are also filing the Seventh Status Report at I-2018-3001161, the Section 529 Investigation Docket. Please contact me with any questions concerning this matter.

Very truly yours,

THOMAS, NIESEN & THOMAS, LLC

By

Thomas T. Niesen

#### Enclosure

cc.

The Honorable Steven K. Haas (via email, w/encl.)

Carrie B. Wright, Prosecutor (via email, w/encl.)

Christine Maloni Hoover, Senior Assistant Consumer Advocate (via email, w/encl.)

John Evans, Small Business Advocate (via email, w/encl.)

Sean Cooper, Esq. (via email, w/encl.)

Tori L. Giesler, Esq. (via email, w/encl.)

Aaron J. Beatty, Esq. (via email, w/encl.)

Susan Simms Marsh, Esq. (via email, w/encl.)

John D. Hollenbach (via email, w/encl.)

Alexander R. Stahl, Esq. (via email, w/encl.)



## SEVENTH STATUS REPORT TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

NORTH HEIDELBERG SEWER COMPANY

AQUA PENNSYLVANIA WASTEWATER, INC. RECEIVERSHIP

DOCKET NO. M-2018-2645983

DOCKET NO. I-2018-3001161

Dated: November 4, 2019

#### A. <u>BACKGROUND</u>

On February 9, 2018, the Pennsylvania Public Utility Commission ("PUC" or the "Commission") entered an Order in Docket No. M-2018-2645983 ("February 9 Order") naming Aqua Pennsylvania Wastewater, Inc. ("Aqua" or the "Company") as receiver for the North Heidelberg Sewer Company ("NHSC"). Aqua was directed to assume its receivership role on March 5, 2018. Included within the PUC's February 9 Order, the Company was directed to "[s]ubmit an initial status report with the Commission within 60 days of assuming operations and then quarterly thereafter to detail any relevant updates pursuant to duties and responsibilities assigned through receivership."

Aqua submitted its initial status report on the operations of NHSC as directed by the Commission on May 4, 2018. Aqua submitted its second status report to the Commission on August 6, 2018. Aqua submitted its third status report to the Commission on November 5, 2018. Aqua submitted its fourth status report to the Commission on February 3, 2019. Aqua submitted its fifth status report to the Commission on May 7, 2019. Aqua submitted its sixth status report to the Commission on August 5, 2019. Aqua now submits its seventh status report on the operations of NHSC to the Commission.

#### B. <u>SEVENTH STATUS REPORT</u>

#### 1. Operations and Capital Expenditures

On March 5, 2018, Aqua assumed its role as receiver for NHSC. Since the sixth status report, filed by Aqua on August 5, 2019, Aqua has made the following improvements to the NHSC system:

- i. Wastewater Treatment Plant: Aqua performed sludge and grit removal for all tanks, and cleaned and recoated the sludge and secondary equalization tanks. Repairs were made to the chemical feed pump and diffuser heads were replaced. Aqua also installed new stairs, rails, and a new hoist.
- ii. Supervisory Control and Data Acquisition ("SCADA"): Aqua installed SCADA at the Wastewater Treatment Plant and at Pump Station No. 0 (Ski Slope).
- iii. Pump Station No. 1 (Golf Course): New pumps were installed to replace the deteriorated pumps at the pump station.

During September 2019, there were exceedances of Fecal Coliform, Phosphorus and Total Suspended Solids ("TSS") due to a malfunction of the ultraviolet ("UV") system and intensity meter. Aqua replaced the UV bulbs and intensity meter. The UV system and intensity meter were inspected and are working properly. A copy of the September 2019 Discharge Monitoring Report is included in this status report as **Attachment A**.

<sup>&</sup>lt;sup>1</sup> <u>Pa. P.U.C. v. North Heidelberg Sewer Co.</u>, Docket No. M-2018-2645983, Opinion and Order Appendix A Paragraph 1.o. (Feb. 9, 2018).

As Aqua continues to operate the system to ensure compliance with the PUC's February 9 Order, Aqua will make improvements necessary to provide quality and reliable service. Aqua will have further information on operational issues in later reports.

#### 2. Financial

In Aqua's fifth status report to the Commission, filed on May 7, 2019, Aqua submitted trial balances for NHSC for year-end 2017 and a balance sheet and income statement for NHSC as of March 5, 2018 which was the beginning of Aqua's receivership.

#### C. <u>CONCLUSION</u>

Aqua will continue to investigate the system's operations and financial status, and will make necessary improvements to operate NHSC to ensure quality service to the NHSC customers for the period of its receivership duties during the 529 proceeding. Aqua will provide its next status report on or before February 3, 2020.

### ATTACHMENT A

#### 3800-FM-BCW0462 12/2016



# COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION BUREAU OF CLEAN WATER DISCHARGE MONITORING REPORT (DMR)

NAME:	NORTH HEIDELBERG SEW CO
ADDRESS:	PO BOX 609, BERNVILLE PA, 19506-0609
FACILITY:	NORTH HEIDELBERG STP
LOCATION:	KOENIG RD, BERNVILLE PA, 19506
STAGE:	Final Effluent

	P	PA0033766			001			Reporting Frequency:	Monthly	
	PERI	MIT NUN	ИBER		OUTF	ALL NU	MBER	DMR Effective From:	09/01/2019	
								DMR Effective To:	09/30/2019	
	MONITORING PERIOD							Permit Expires:	04/30/2014	
				- I	_	-		Permit Application Due:	11/01/2013	
	YEAR	МО	DAY		YEAR	MO	DAY	No Discharge:		
FROM	2019	09	01	то	2019	09	30		Ц	_

#### **PARAMETERS REPORTED VALUES**

PARAMETER		QUA	NTITY OR LOAD	DING	Q	UANTITY OR C	ONCENTRATIO	ON	SAMPLING FREQUENCY	SAMPLING TYPE
FARAMETER		VALUE	VALUE	UNITS	VALUE	VALUE	VALUE	UNITS	SAMPLING FREQUENCY	SAMPLING ITPE
Dissolved Oxygen (00300)	Sample Measurement	***	***	***	6.2	***	***	mg/L	1/day	Grab
	Permit Requirement	***	***		5.0 Min	***	***		1/day	Grab
pH (00400)	Sample Measurement	***	***	***	6.3	***	7.6	S.U.	1/day	Grab
	Permit Requirement	***	***		6.0 Min	***	9.0 IMAX		1/day	Grab
Total Suspended Solids (00530)	Sample Measurement	3	9	lbs/day	***	18	54	mg/L	1/week	24-Hr Composite
	Permit Requirement	25 Avg Mo	40 Wkly Avg		***	30 Avg Mo	45 Wkly Avg		1/week	24-Hr Composite
Ammonia-Nitrogen (00610)	Sample Measurement	4	***	lbs/day	***	20	***	mg/L	1/week	24-Hr Composite
	Permit Requirement	16 Avg Mo	***		***	20 Avg Mo	***		1/week	24-Hr Composite
Total Phosphorus (00665)	Sample Measurement	.30	***	lbs/day	***	1.2	***	mg/L	1/week	24-Hr Composite
	Permit Requirement	.83 Avg Mo	***		***	1.0 Avg Mo	***		1/week	24-Hr Composite
Flow (50050)	Sample Measurement	.032	.050	MGD	***	***	***	***	Continuous	Measured
	Permit Requirement	Monitor & Report Avg Mo	Monitor & Report Daily Max		***	***	***	1	Continuous	Measured
Fecal Coliform (74055)	Sample Measurement	***	***	***	***	7847	***	CFU/100 ml	1/week	Grab
	Permit Requirement	***	***		***	200 Geo Mean	***		1/week	Grab
Carbonaceous Biochemical Oxygen Demand (CBOD5) (80082)	Sample Measurement	<1	2	lbs/day	***	<5	10	mg/L	1/week	24-Hr Composite
	Permit Requirement	21 Avg Mo	33 Wkly Avg		***	25 Avg Mo	40 Wkly Avg		1/week	24-Hr Composite

#### 3800-FM-BCW0462 12/2016



## COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION BUREAU OF CLEAN WATER

**DISCHARGE MONITORING REPORT (DMR)** 

NAME:	NORTH HEIDELBERG SEW CO
ADDRESS:	PO BOX 609, BERNVILLE PA, 19506-0609
FACILITY:	NORTH HEIDELBERG STP
LOCATION:	KOENIG RD, BERNVILLE PA, 19506
STAGE:	Raw Sewage Influent

PA0033766	001	Reporting Frequency:
PERMIT NUMBER	OUTFALL NUMBER	DMR Effective From:
		DMR Effective To:

	MONITORING PERIOD									
	YEAR	МО	DAY		YEAR	МО	DAY			
FROM	2019	09	01	то	2019	09	30			

Reporting Frequency:	Monthly
DMR Effective From:	09/01/2019
DMR Effective To:	09/30/2019
Permit Expires:	04/30/2014
Permit Application Due:	11/01/2013
No Discharge:	

#### **PARAMETERS REPORTED VALUES**

PARAMETER		QUANTITY OR LOADING			QUANTITY OR CONCENTRATION				SAMPLING FREQUENCY	SAMPLING TYPE	
PANAMETER		VALUE	VALUE	UNITS	VALUE	VALUE	VALUE	UNITS	SAMPLING PREQUENCY	SAMPLING TIPE	
Biochemical Oxygen Demand (BOD5) (00310)	Sample Measurement	66	124	lbs/day	***	284	***	mg/L	1/week	24-Hr Composite	
	Permit Requirement	Monitor & Report Avg Mo	Monitor & Report Daily Max		***	Monitor & Report Avg Mo	***		1/week	24-Hr Composite	
Total Suspended Solids (00530)	Sample Measurement	51	57	lbs/day	***	234	***	mg/L	1/week	24-Hr Composite	
	Permit Requirement	Monitor & Report Avg Mo	Monitor & Report Daily Max		***	Monitor & Report Avg Mo	***		1/week	24-Hr Composite	
Facility Sampling Point Comments											

#### 3800-FM-BCW0462 12/2016



### COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION BUREAU OF CLEAN WATER

#### **DISCHARGE MONITORING REPORT (DMR)**

#### **ATTACHMENT DETAILS**

File Name	Attachment Type	Uploaded Time	Attachment Comments
NH Effluent September 2019.pdf	Daily Effluent Monitoring Form	2019-10-27T14:45:25-04:00	
NH Influent September 2019.pdf	Influent and Process Control Form	2019-10-27T14:45:51-04:00	
NH Sewage Sludge September 2019.pdf	Sewage Sludge / Biosolids Production and Disposal Form	2019-10-27T14:46:19-04:00	

#### **PERMIT VIOLATIONS**

Non-Compliance ID	Event Start Date	Event End Date	Parameter	Limit Type	Reported Value	Permit Limit	Unit	Sampling Point	Cause Of Non-Compliance	Corrective Action	Comments
99655	09/01/2019	09/30/2019	Total Phosphorus	Average Monthly	1.2	1	mg/L	Final Effluent (001)	Other	Other	Chemical pump undersized. Replaced.
99656	09/01/2019	09/30/2019	Fecal Coliform	Geometric Mean	7847	200	CFU/100 ml	Final Effluent (001)	Other	Other	Chemical pump undersized. Replaced.
99657	09/01/2019	09/30/2019	Total Suspended Solids	Weekly Average	54	45	mg/L	Final Effluent (001)	Other	Other	Chemical pump undersized. Replaced.

#### **UNAUTHORIZED DISCHARGES**

Non-Compliance ID	Event Start Date	Event End Date	Date and Time Discovered	Substance	Event Location	Volume (gal)	Duration (hrs)	Receiving Waters Impact On Waters	Date and Time DEP Notified	Comments
				Discharged					Orally	

#### OTHER PERMIT VIOLATIONS

Non-Compliance ID	Non-Compliance Type	Sampling Point	Parameter	Reported Value	Permit Limit	Comments

#### **COMMENT DETAILS**

Comments	Operator Name	Operator Certification Number	Operator Contact Number	
	Jeff Grassely	197254	(610)-301-6241	

#### SUBMISSION INFORMATION

SUBMITTED BY GREENPORT USER	JSER electronic transaction with the Commonwealth of Pennsylvania. You are submitting official information. You certify under	Michelle Steele	TELEPHONE		DATE		
	penalty of law that this document and all attachments were prepared under your direction or supervision in accordance with a system designed to assure that qualified personnel gather and evaluate the information submitted. Based on your inquiry of		(215)	368-3375	2019	10	28
steelem	the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of your knowledge and belief, true, accurate and complete. You are aware that any false statement may be subject to substantial civil and criminal penalties, including 18 P.S. section 4904 (relating to unsworn falsification to authorities).	SUBMITTED BY FULL NAME	AREA CODE	NUMBER	YEAR	МО	DAY



#### SUPPLEMENTAL REPORT DAILY EFFLUENT MONITORING

3800-FM-BCW0435 3/2012

Dissolved Oxygen TSS Fecal Coliform CBOD5 рΗ NH3-N Total Phosphorus O CELI/100 ml 0.0441 Mon 9/2/19 0.0298 7.5 6.7 Tue 9/3/19 0.0336 8.1 6.7 10.0 13.0 1.19 4.5 10200.0 Wed 9/4/19 0.0447 Thu Fri 9/5/19 0.0274 6.8 7.1 9/6/19 0.0467 7.3 6.9 0.0158 Sun 0.0312 7.0 Mon 9/9/19 0.0424 6.7 6.7 7.0 3.0 12.5 1.74 9.6 Tue 9/10/19 0.0268 7.2 0.0249 12600.0 Wed 9/11/19 Thu 7.0 9/12/19 0.0286 Fri 9/13/19 0.0353 6.6 Sat 9/14/19 0.0496 Sun 9/15/19 0.0367 6.2 6.9 Mon Tue 9/16/19 0.0484 6.9 6.7 54.0 54.0 4.7 9/17/19 0.0196 6.8 1.92 Wed 0.0122 6.6 6.6 5000.0 9/18/19 Thu 0.0146 9/20/19 0.0405 0.0246 7.0 Sat 9/21/19 7.6 Sun 0.0394 7.6 9/22/19 Mon 0.0328 9/23/19 Tue 0.0302 0.41 0.97 2.0 Wed 9/25/19 0.0311 7.7 5900.0 Thu 9/26/19 0.0305 8.0 6.9 Fri 0.0363 8.1 9/27/19 6.6 Sat 9/28/19 0.0155 7.8 7.2 6.9 0.13 0.0296 9/29/19 Mon 9/30/19 0.0246 7.6 6.3 5000 12600 6.3 7.6 0.41 54 0.13 Daily Minimum (Conc.): 6.2 8.7 9.6 Daily Maximum (Conc): 7.8 54 1.92 10 Max Avn Weekly (Conc. 19.98 Ava Monthly (Conc.) 7.4 18 1.19 7847 Geometric Mean (Conc. 0.0346 0.4 Avg Monthly (Load): 0.0316 0.3 0.9475 59 104 115 7.78 35 Total Monthly (Load): 0.0122 0.7 0.1 0.02 0.5 Daily Minimum (Load): Daily Maximum (Load):

I certify under penalty of law that this document was prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel gather and evaluate the information submitted. Based on my inquiry of the person or persons with or manage the system or those persons directly responsible for gathering the information, the information stated in you have deep and belief, true, accurate and complete. I am aware that there are significant penalties for submitting take information, including the possibility of fine and improsoment for howing volations. See 18 P.B. C.S. \$400 (relating to unsworn failefaction).

Prepared By:	Michelle Steele	License No.:			
Title:	Operator	Date: 27-Oct-19			

#### SUPPLEMENTAL REPORT - INFLUENT & PROCESS CONTROL

Facility Name:	North Heidelberg Sewer Company			Month: <u>September</u> Yea	ar:
Municipality:	Jefferson Township	County:	Berks	NPDES Permit No.: 33766	
Watershed:	3C			Renewal application due 180 days prior to expiration	Ո.
				This permit will expire on: April 30, 2014	

			Influent			Process Control					
Day	Flow (MGD)	BOD <sub>5</sub> (mg/l)	BOD₅ (lbs)	TSS (mg/l)	TSS (lbs)	Aeration MLSS (mg/l)	Aeration DO (mg/l)	Sludge Wasted (gallons)			
1	0.0441										
2	0.0298										
3	0.0336	215.0	60	173.0	48						
4	0.0447										
5	0.0274										
6	0.0467										
7	0.0158				~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~	***************************************			***************************************		
8	0.0312										
9	0.0424										
10	0.0268	195.0	44	207.0	46						
11	0.0249										
12	0.0286										
13	0.0353								***************************************		
14	0.0496										
15	0.0367										
16	0.0484										
17	0.0196	233.0	38	328.0	54						
18	0.0122										
19	0.0146										
20	0.0406										
21	0.0246										
22	0.0394										
23	0.0328										
24	0.0302	492.0	124	228.0	57						
25	0.0311										
26	0.0305										
27	0.0363										
28	0.0455										
29	0.0296										
30	0.0246				<b>†</b>						
31								<b>†</b>			
Avg	0.033	284	66	234	51						
Max	0.05	492	124	328	57						

I certify under penalty of law that this document was prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel gather and evaluate the information my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and be and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. See Pa. C.S. § 4904 (relating to unsw

Prepared By:	Michelle Steele	License No.:	

3800-FM-BCW0438 3/2012	

### SUPPLEMENTAL REPORT SEWAGE SLUDGE / BIOSOLIDS PRODUCTION AND DISPOSAL

Facility Na Municipalit Watershed	y: Jefferson 3 3C  SEWAGE here if there were no compared to the second s	SLUDGE / B	r Company Cou  IOSOLIDS PRODU events during the mo	onth	ION (Identify e	Month: <u>Se</u> NPDES Pern Renewal app This permit w	ptember hit No.: 33766 hication due 180 days hill expire on: Apri hval event and incine	il 30, 2014 ration event)		
Date		age Sludge/B auled Off-site	Sludge/Biosolids I Off-site		Dewatered Sewage Sludge/Biosolids Hauled Off-site			Sewage Sludge/Biosolids Dewatered and Incinerated On-site		
9/16/19	Gallons 12,000	% Solids 1.50	Dry Tons 0.751	Tons Dewatered	% Solids	Dry Tons	Tons Dewatered	% Solids	Dry Tons	
		TOTAL:	0.751		TOTAL:		<u> </u>	TOTAL:		
		SEWAGE					L USE INFORMATION			
	Site Name	GF	RTR Hazleton JSA	sites where biosolids	or asn were dis	sposed or land appl	liea)	I		
	Municipality	<del></del>	Hazleton							
·	County		Luzeme							
	EP Permit No.									
	/pe of Material*		Sewage Sludge							
	ns Applied/Disposed of Disposal/Use*	O++	0.8 ner Treatment Plant							
	Hauler Name	Oii	Liquid Motion							
	ctions for explanation.		Liquid Motion	<u> </u>						
I certify under evaluate the i information su	penalty of law that this do nformation submitted. Base	ed on my inquiry ny knowledge an	of the person or persons d belief, true, accurate ar	who manage the system and complete. I am aware	or those persons d that there are signif	irectly responsible for ga	qualified personnel gather a athering the information, the nitting false information, inc	е		
	Prepared B Title:	y: Michelle Operator			Licer Date	nse No.: Cotobe	r 27, 2019			

From: depgreenporthelpdesk@state.pa.us

Subject: Your eDMR Report Has Been Received For Permit No. PA0033766

Date: October 28, 2019 at 12:05 PM

To: msteele@eema-inc.com, msteele@eema-inc.com, amhorst@yahoo.com, david.smith3742@gmail.com,

selectenvironmental@gmail.com

This email is to confirm that the following report was received by DEP through the eDMR system:

Facility Name: NORTH HEIDELBERG STP

Permit Number: PA0033766 Report Frequency: Monthly

Report Type: DMR

Reporting Period: 09/01/2019-09/30/2019

Report Due Date: 10/28/2019

Submitted By: Michelle Steele Submission Id: 173430 Submission Status: Received Submission Type: Original

To view the details of this report, access the eDMR system through DEP's GreenPort and select the link for View/Revise Submitted.

