
EXHIBIT W3

TESTIMONY OF MICHAEL DiSANTIS

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

AQUA PENNSYLVANIA WASTEWATER, INC.

DOCKET NO. A-2019-3015173

AQUA STATEMENT NO. 7

**DIRECT TESTIMONY OF
MICHAEL J. DISANTIS
DIRECTOR OF OPERATIONS AND MAINTENANCE
DELCORA**

**With Regard To
Description of DELCORA's System and Operations
Environmental Compliance**

March 3, 2020

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1 **I. INTRODUCTION**

2 **Q. Please state your name and business address.**

3 A. My name is Michael J. DiSantis. My business address is 100 East Fifth Street, Chester,
4 PA 19013.

5

6 **Q. In what capacity are you affiliated with the Delaware County Regional Water**
7 **Quality Control Authority (“DELCORA”)?**

8 A. I am the Director of Operations and Maintenance of DELCORA.

9

10 **Q. Please provide a brief description of your education and work experience.**

11 A. I graduated from Villanova University with a Bachelor of Science degree. I have served
12 as DELCORA’s Director of Operations and Maintenance since 2005. I have over forty
13 years of experience in the water and wastewater field working in industrial and municipal
14 applications for both private and public sector organizations, over thirty of which have
15 been in supervision and management. I am a licensed water and wastewater operator,
16 having held a Pennsylvania Wastewater A,E-1,2,3,4 certification since 1989 and a
17 Pennsylvania Water B,E-11,12,13,14 certification since 1999.

18

19 **Q. Have you testified before the Pennsylvania Public Utility Commission (“PUC” or**
20 **the (“Commission”) before?**

21 A. No.

22

23 **Q. On whose behalf are you testifying in this proceeding?**

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1 A. My testimony is on behalf of DELCORA and in support of Aqua Pennsylvania
2 Wastewater, Inc. (“Aqua”) in this proceeding.

3
4 **Q. What is the purpose of your direct testimony?**

5 A. The purpose of my testimony is as follows: (1) to provide a description of DELCORA’s
6 sanitary wastewater collection and conveyance system (the “System”), (2) to describe
7 DELCORA’s environmental compliance, (3) to describe DELCORA’s projected future
8 connections, (4) to describe DELCORA’s water quality management (“WQM”),
9 including its National Pollutant Discharge Elimination System (“NPDES”), permits, and
10 (5) to describe DELCORA’s Official Sewage Facilities Plans under the Pennsylvania
11 Sewage Facilities Act (“Act 537 Plan”).

12
13 **Q. Are you sponsoring any Exhibits with your testimony?**

14 A. No.

15
16 **II. DESCRIPTION OF DELCORA’S SYSTEM**

17 **Q. Please generally describe DELCORA’s System.**

18 A. DELCORA is responsible for the safe collection, transmission, treatment, and discharge
19 of approximately 65 million gallons per day of wastewater generated in southeastern
20 Pennsylvania. DELCORA’s facilities serve residential, commercial, public, and
21 industrial customers in Delaware and Chester Counties. DELCORA services 49
22 municipalities in whole or in part through collection, conveyance and treatment services.

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1 DELCORA owns and operates a system consisting of 24 pump stations and over
2 180 miles of gravity collection system mains, interceptor sewers, and force mains for the
3 conveyance of wastewater to DELCORA's Western Regional Treatment Plant located in
4 Delaware County ("WRTP") and to the Philadelphia Water Department's ("PWD")
5 Southwest Water Pollution Control Plant ("SWPCP"). DELCORA owns all or part of the
6 collection systems in the following areas: City of Chester, Chester Township, Borough of
7 Marcus Hook, Borough of Rose Valley, Upland Borough, Parkside Borough, Trainer
8 Borough, Edgmont Township, and Pocopson Township.

9 DELCORA characterizes its service areas as "Eastern" and "Western." The
10 Western Service Area has eighteen (18) pumping stations that are owned and operated by
11 DELCORA. The average annual flow in 2018 for the WRTP was 39.18 million gallons
12 per day ("MGD").

13 The Eastern Service Area has (6) six pumping stations that are owned and
14 operated by DELCORA. The average annual flow in 2018 for the Eastern Service Area
15 was 36.83 MGD. The flow from the Eastern Service Area is split between WRTP and
16 PWD's SWPCP. During 2018, 25.76 MGD from the Eastern Service Area was pumped
17 to the SWPCP.

18
19 **Q. Does DELCORA own and operate other plants besides the WRTP?**

20 **A.** Yes. DELCORA also owns and operates two (2) remote Treatment Plants: Corinne
21 Village (Pocopson Preserve) located in Pocopson Township and Sheeder Tract (Pocopson
22 Riverside) located in Pocopson Township. DELCORA also has an agreement for the
23 purchase of Springhill Farms wastewater system which will conclude in 2020.

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1 DELCORA currently operates Springhill Farms which is located in Chadds Ford
2 Township.

3
4 **Q. Please describe any recent plant upgrades.**

5 A. In recent years, all of the WRTP process units and support systems have undergone
6 upgrades, improvements, and rehabilitation to improve effluent quality, reduce treatment
7 costs, and extend the service life. These upgraded systems include, but are not limited to,
8 modifications to the influent screening, pump stations, aeration basins, secondary
9 clarifiers, solids handling system, incinerator upgrades, and the utility water system.

10
11 **Q. Please provide the year of construction and the average annual flows for**
12 **DELCORA's treatment plants.**

13 A. The WRTP was constructed in approximately 1975 and as stated above has been
14 upgraded at various times since then. The WRTP's permitted annual average flow is
15 currently 50 MGD. In 2018 the annual average flow was 39.18 MGD and the 3-month
16 maximum average flow was 40.61 MGD. The WRTP is permitted for a maximum
17 organic loading of 108,000 lbs./day, which applies to loading after primary treatment, and
18 has an influent design loading of 161,000 lbs./day. In 2018, the annual average organic
19 loading was 96,311 lbs./day.

20 The Corinne Village Wastewater Treatment Plant (Pocopson Reserve), built in
21 2010, is permitted at an annual average flow of 0.020 MGD. In 2018, the plant had an
22 annual average flow of 0.013 MGD and a 3-month maximum average flow of 0.014

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1 MGD. The Corinne Village Plant is permitted for a maximum organic loading of 50.5
2 lbs./day. In 2018, the annual average organic loading was 34.31 lbs./day.

3 The Sheeder Tract Wastewater Treatment Plant (Pocopson Riverside), built in
4 2008, is permitted at an annual average flow of 0.04515 MGD. In 2018, the plant had an
5 annual average flow of 0.021 MGD and a 3-month maximum average flow of 0.022
6 MGD. The Sheeder Tract Plant is permitted for a maximum organic loading of 96
7 lbs./day. In 2018, the plant had an annual average organic loading of 42.97 lbs./day.

8 The Springhill Farms Wastewater Treatment Plant, built in 1988, is permitted at
9 an annual average flow of 0.1 MGD. In 2018, the plant had an annual average flow of
10 0.047 MGD.

11 The PWD SWPCP, built in 1948, is permitted at an annual average flow of 200
12 MGD. In 2018, the plant had an annual average flow of 183.21 MGD and a 3-month
13 maximum average flow of has an annual average flow of 189.65 MGD. In 2018, the
14 plant had an annual average organic loading of 165,601 lbs./day.

15
16 **Q. Does the Application include a summary of the DELCORA System assets?**

17 A. Yes. Included in the Application as Exhibit D is the Engineering Assessment which
18 provides an inventory of the DELCORA System assets.

19
20 **Q. Please give an overview of DELCORA's service agreements.**

21 A. Following the Environmental Protection Agency's mandate that systems in Delaware
22 County consolidate treatment providers, as more fully described in Mr. Willert's direct
23 testimony (Aqua Statement No. 5), participating municipalities and authorities entered

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1 into agreements to send flows to DELCORA to be treated at the WRTP or at PWD's
2 SWPCP. These contracts are included in the Exhibit F series to the Application.

3
4 **Q. Please summarize DECORA's existing sludge hauling and O&M contracts.**

5 A. DELCORA has agreements concerning the disposal of wastewater from the Burlington
6 County Resource Recovery Complex and the Delaware County Solid Waste Authority,
7 which both consist of leachate disposal for these entities. DELCORA also provides
8 sludge disposal services at rates posted on DELCORA's website, which have been
9 included in Aqua's proposed tariff (Application Exhibit G). All of the sludge generators
10 and haulers are approved by DELCORA before acceptance of any hauled sludge.

11 DELCORA has agreements either for the management of facilities or for the
12 Operation and Maintenance of Facilities ("O&M") with the following parties: Thornbury
13 Township, Southern Delaware County Authority, Borough of Folcroft, Borough of
14 Norwood, Tinicum Township, and Chadds Ford Township Sewer Authority. These
15 agreements are included in the Exhibit F series to the Application.

16
17 **III. ENVIRONMENTAL COMPLIANCE**

18 **Q. Please describe any environmental compliance issues of DELCORA over the past**
19 **five years.**

20 A. DELCORA has recently updated its Long-Term Control Plan ("LTCP") for the City of
21 Chester's combined sewer system, which is currently under review with DEP and EPA
22 and has not been finalized. The City of Chester is served by both separate and combined
23 sewer systems, and DELCORA developed the original LTCP to address the combined

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1 system in April 1999. In 2010, the EPA ordered DELCORA to update this LTCP,
2 claiming that it violated the federal Clean Water Act due to overflows and storm water
3 discharges, which occur during heavy rain and wet weather events.

4 In 2015, the EPA and Pennsylvania Department of Environmental Protection
5 (“DEP”) filed a complaint against DELCORA in the United States District Court for the
6 Eastern District of Pennsylvania. The complaint sought injunctive relief and civil
7 penalties for alleged violations of the Clean Water Act and the Pennsylvania Clean
8 Streams Law relating to the discharge of sewage. As a result of that action, DELCORA,
9 EPA and DEP entered into a Consent Decree, effective November 13, 2015, which
10 outlined the steps DELCORA would take to achieve full compliance with the Clean
11 Water Act and the Pennsylvania Clean Streams Law and eliminate sanitary sewer
12 overflows, which occur during rain and wet weather events. In addition to the
13 submission of an updated LTCP for approval and other injunctive relief, DELCORA
14 agreed to pay a civil penalty of \$1.375 million. More recently, the EPA reviewed
15 DELCORA’s required submissions regarding forty overflow discharges and assessed an
16 additional stipulated penalty of \$144,000 under the terms of the Consent Decree.

17 Other issues have been raised and resolved as well. In October 2011, DEP
18 provided DELCORA with a report of its review of the 2010 Municipal Wasteload
19 Management Report for the Rose Valley Wastewater Treatment Plant. In response, in
20 January 2012, DELCORA submitted a Corrective Action Plan in order to address the
21 hydraulic and organic overload issues at Rose Valley. After implementation of the plan,
22 this plant was closed in May 2018 and replaced with a pump station that connects the
23 Rose Valley system to the regional sewer system that serves DELCORA’s WRTP. As a

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1 result, DELCORA requested discontinuation of the plan, which DEP agreed to in August
2 2018.

3 On July 27, 2017, the DEP approved an Environmental Covenant regarding the
4 former Abbonizio Recycling and Covanta Delaware Valley, LP, located in the City of
5 Chester. Site soils exhibited concentrations of iron and aluminum above acceptable DEP
6 specifications. Due to this and other issues at the property, it is subject to activity and use
7 limitations, including that the property shall only be used for non-residential purposes
8 and groundwater is not to be used on the property for any purpose.

9 Additionally, the EPA and the Delaware River Basin Commission (“DRBC”)
10 have established Stage 1 Total Maximum Daily Loadings (“TMDLs”) for the Delaware
11 River Estuary and corresponding Waste Load Allocation (“WLA”) assigned to
12 DELCORA for the discharge of polychlorinated biphenyls from its WTRP. While a
13 proposed Stage 2 TMDL or WLA has not yet been issued by EPA and DRBC, it is
14 DELCORA’s expectation that this will occur soon.

15
16 **Q. Are there any Notices of Violation (“NOV”) issued to DELCORA over the last five**
17 **years?**

18 A. Yes. The NOV, narrative reports, and responses from the last five years are included in
19 the Application as Exhibit O1.

20
21 **Q. Are there any Consent Assessment of Civil Penalties (“CACP”) issued to**
22 **DELCORA over the last five years?**

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1 A. Yes. The CACPs are included in the Application as Exhibit O2. Each CACP has been
2 addressed by DELCORA.

3
4 **Q. Are there any other environmental compliance items of note for DELCORA's**
5 **System?**

6 A. All environmental compliance matters, including those described above, are detailed in
7 Schedule 4.13 of the Asset Purchase Agreement ("APA"). It should also be noted that, as
8 detailed in the testimony of Mr. Willert (Aqua Statement No. 5), the environmental
9 compliance issues facing PWD, and the costs involved in its resulting LTCP, are a
10 driving force in DELCORA's decision to end its partnership with PWD and expand its
11 operational capabilities at the WRTP.

12
13 **IV. PROJECTED FUTURE CONNECTIONS**

14 **Q. Please describe the projected future connections for DELCORA's plants.**

15 A. By 2024, it is projected that:

- 16 • 11 additional EDUs will connect with the Corinne Village Wastewater Treatment
17 Facility; and
- 18 • 22 additional EDUs will connect to the Sheeder Tract Wastewater Treatment
19 Plant.

20 In addition, the WRTP is projected to add 667 EDUs per year through 2023. We do not
21 yet have available the projected connections through 2024, but I will supplement my
22 testimony with this information when it becomes available.

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V. NPDES AND WATER QUALITY MANAGEMENT

Q. Does the Application include NPDES permits for DELCORA's plants?

A. Yes. Copies of NPDES permits for DELCORA's plants are included in the Application as Exhibits N1 (WRTP) and N2 (Springhill Farms).¹ Additionally, although not part of the DELCORA acquisition, the NPDES permit for PWD's SWPCP is included in the Application as Exhibit N3.

Q. Does the Application include WQM permits for DELCORA's plants?

A. Yes. Copies of WQM permits for DELCORA's plants are included in the Application as Exhibits M1 through M4. Additionally, although not part of the DELCORA acquisition, the WQM permit for PWD's SWPCP is included in the Application as Exhibit M5.

VI. ACT 537 PLANS

Q. Are Act 537 Plans included in the Application?

A. Yes. The majority of DELCORA's System falls under the 2002 Delaware County Planning Department Act 537 Sewage Facilities Plan Update – Eastern Plan of Study, which is included in the Application as Exhibit P1, and the 2004 Delaware County Planning Department Act 537 Sewage Facilities Plan Update – Western Plan of Study, which is included in the Application as Exhibit P2. The Western Plan of Study was updated in 2006 related to the re-rating of the WRTP and again in 2012 related to the Chester-Ridley Creek Service Area, which are included in the Application as Exhibits P2.

¹ Pocopson Preserve and Pocopson Riverside do not have NPDES permits as these plants do not have stream discharge.

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1 In 2018, an Act 537 Special Study Plan was prepared for DELCORA to address wet
2 weather issues at DELCORA's Central Delaware Pump Station, which is included with
3 Application Exhibit P1. These plans addressed both of DELCORA's eastern and western
4 service areas.

5 Also included in the Application are Act 537 Plans for Chadds Ford Township,
6 Chester County, Concord Township, Middletown Township, Newtown Township, Rose
7 Valley Borough, Edgmont Borough, and the City of Philadelphia, as Exhibits P3 through
8 P10, respectively.

9
10 **VII. CONCLUSION**

11 **Q. Does this conclude your testimony?**

12 A. Yes, it does. However, I reserve the right to file additional testimony at a later date as
13 may be necessary or appropriate.