



# The York Water Company

October 19, 2012

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2<sup>nd</sup> Floor North  
P.O. Box 3265  
Harrisburg, PA 17105-3265

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Re: Application of York Water for Approval to Acquire Wastewater  
Facilities from Stahlman Enterprises, LLC (also known as Asbury Pointe  
Water and Sewer Company)  
Docket Nos. A-2012-2291572 and A-2012-2291575

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Dear Secretary Chiavetta:

Enclosed on behalf of The York Water Company ("York Water" or the "Company") please find the original cost plant-in-service valuation of the former wastewater system of the Asbury Pointe Water and Sewer Company ("Asbury Pointe"). York Water is filing this original cost valuation pursuant to the Pennsylvania Public Utility Commission's ("Commission") Policy Statement at 52 Pa. Code § 69.711.

The Commission approved York Water's acquisition of Asbury Pointe by Order entered May 10, 2012 at Docket Nos. A-2012-2291572 and A-2012-2291575. On July 31, 2012, the transfer by sale of Asbury Pointe's water assets and rights to York Water was consummated.

Based upon conversations that the Company had with Asbury Pointe's prior owner, York Water notes that Asbury Pointe had some fixed asset cost records of its own, but not a comprehensive listing. In addition, it is York Water's understanding that Asbury Pointe funded all of the assets itself and used no customer funds to build the facilities. Due to York Water's lack of previous experience in wastewater, the Company contracted the services of Gannett Fleming to prepare the original cost study. Based upon information obtained from Asbury Pointe's prior owner, a visual inspection of assets, the original year of installation from Asbury Pointe, and the average cost of installation of similar property for the applicable years based on Gannett Fleming's other client experiences, Gannett Fleming prepared the attached Original Cost Study.

York Water paid less than the depreciated original cost of the acquired system, and will book and include in rate base the depreciated original cost of the acquired system. No

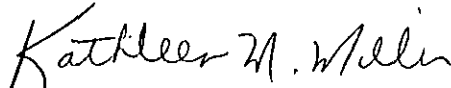
amortization or pass through of the difference between the acquisition cost and depreciated original cost is appropriate because this acquisition involved a matter of substantial interest.

Asbury Pointe provided public wastewater service in and around a portion of East Manchester Township, York County, Pennsylvania, to approximately 237 residential customers. Asbury Pointe was certificated by the Commission under the name of Stallman & Stahlman, Inc., to provide public sewer service at Docket No. A-230046.

York Water intends to include the depreciated original cost of the wastewater assets of Asbury Pointe in York Water's rate base claim in its next rate case. At that time, York Water will present its proposal that the acquisition adjustment should not be passed through in rates.

In addition to the original cost study for Asbury Pointe, enclosed is a copy of NPDES permit which was transferred to York Water.

Sincerely,



Kathleen M. Miller  
CFO and Treasurer

Enclosure

cc: Office of Trial Staff (excluding permit)  
Office of Consumer Advocate (excluding permit)  
Office of Small Business Advocate (excluding permit)  
Michael W. Hassell, Esq., Post & Schell (excluding permit)

THE YORK WATER COMPANY  
York, Pennsylvania

ORIGINAL COST AND  
RELATED ACCRUED DEPRECIATION  
OF THE  
ASBURY POINTE WASTEWATER SYSTEM  
AS OF JUNE 30, 2012

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PART I. INTRODUCTION

## THE YORK WATER COMPANY

### ORIGINAL COST AND RELATED ACCRUED DEPRECIATION OF THE ASBURY POINTE WASTEWATER SYSTEM AS OF JUNE 30, 2012

#### PART I. INTRODUCTION

##### PLAN OF REPORT

The purpose of the study was to determine the original cost and related accrued depreciation as of June 30, 2012, of the wastewater assets of the Asbury Pointe Wastewater System (Asbury Pointe). The system was acquired by York Water Company from Asbury Pointe in July, 2012.

The study is presented in three parts. Part I, Introduction, contains statements with respect to the plan of the report, the system facilities, the procedures employed, and a summary of the results of the study. Part II, Original Cost, presents the detailed analysis of the original cost of the Asbury Pointe Wastewater System by account and vintage year. Part III, Calculation of Accrued Depreciation, develops the accrued depreciation related to the original cost as of June 30, 2012.

##### DESCRIPTION OF SYSTEM

The Asbury Pointe wastewater system provides service to over 230 customers in East Manchester Township, York County, Pennsylvania. The wastewater system assets include a treatment plant, collection sewers, manholes, service laterals, pumping and treatment equipment and land. The initial collection sewers for Asbury Pointe consisted of 8-inch PVC pipe that were installed in 1995 during Phase I. Since 1995 the system has experienced growth consisting of 8-inch PVC pipe. The treatment plant was originally built in 1995 with improvements in 1999 and 2003, primarily for equipment upgrades. Service

laterals were installed for each customer at the time the pipe was installed. Phases II and III were added in 1999 and 2003.

#### DETERMINATION OF ORIGINAL COST

The cost of system facilities was determined from engineering records and unit costs typical of other wastewater utilities in the region. Distribution maps prepared by York Water and Asbury Pointe engineering personnel were used to determine the property in service at June 30, 2012. The costs associated with the treatment plant and pumping and treatment equipment were determined by contractor bids, invoices and standard construction costs of others and Handy-Whitman indexes. For collection sewers and manholes, an inventory of the footage of sewers by size and type material and the number of manholes were taken from maps of the distribution system. Each customer has a service lateral and the asset was assigned the same installation year as the related collection sewer. This inventory was priced using unit costs for each vintage year. The unit costs were developed from typical unit costs experienced by other Pennsylvania wastewater companies, published unit costs or experienced costs trended to the year of installation using Handy-Whitman indexes.

#### CALCULATION OF ACCRUED DEPRECIATION

The accrued depreciation calculation in Part III of the report was based on recognized methods using estimated survivor characteristics and the straight line depreciation method. The estimated survivor curves are those used by other Pennsylvania wastewater companies. The equal life group procedure was used for all vintages to apply the methods of depreciation to group properties for which a survivor curve was used to recognize the existence of life dispersion.

A summary table of accrued depreciation applicable to original cost is set forth in Part III of the report. The detailed calculations by account and vintage follow the summary table.

#### RESULTS OF STUDY

The table on the following page summarizes the original cost and related accrued depreciation by account for the Asbury Pointe Wastewater System as of June 30, 2012. The original cost was brought forward from Part II of the report and the accrued depreciation from Part III of the report.

**THE YORK WATER COMPANY  
ACQUISITION OF ASBURY POINTE WASTEWATER SYSTEM**

**SUMMARY OF ORIGINAL COST AND ACCRUED DEPRECIATION  
OF WASTEWATER SYSTEM AS OF JUNE 30, 2012**

<u>ACCOUNT</u> (1)	<u>DESCRIPTION</u> (2)	<u>ORIGINAL COST</u> (3)	<u>ACCRUED DEPRECIATION</u> (4)
353.00	LAND	95,170.00	-
354.00	STRUCTURES AND IMPROVEMENTS	44,653.16	18,562
360.20	GRAVITY MAINS	327,880.05	58,580
361.20	MANHOLES	91,527.56	17,997
363.00	SERVICES	155,360.84	32,107
371.00	PUMPING EQUIPMENT	43,220.93	15,258
380.00	TREATMENT EQUIPMENT	160,035.11	51,555
390.00	OFFICE FURNITURE AND EQUIPMENT	<u>356.55</u>	<u>223</u>
	<b>TOTAL COMPANY</b>	<b>918,204.20</b>	<b>194,282</b>

PART II. ORIGINAL COST

**THE YORK WATER COMPANY  
ACQUISITION OF ASBURY POINTE WASTEWATER SYSTEM**

**SUMMARY OF ANALYSIS OF ORIGINAL COST OF WASTEWATER  
SYSTEM AS OF JUNE 30, 2012**

<u>ACCOUNT</u> (1)	<u>DESCRIPTION</u> (2)	<u>ORIGINAL COST</u> (3)
353.00	LAND	95,170.00
354.00	STRUCTURES AND IMPROVEMENTS	44,653.16
360.20	GRAVITY MAINS	327,880.05
361.20	MANHOLES	91,527.56
363.00	SERVICES	155,360.84
371.00	PUMPING EQUIPMENT	43,220.93
380.00	TREATMENT EQUIPMENT	160,035.11
390.00	OFFICE FURNITURE AND EQUIPMENT	<u>356.55</u>
	<b>TOTAL COMPANY</b>	<b>918,204.20</b>

DETAILED ANALYSIS OF ORIGINAL COST AS OF  
JUNE 30, 2012

**The York Water Company  
Acquisition of the Asbury Pointe Wastewater System**

**Detailed Analysis of Original Cost as of June 30, 2012**

<u>Account</u>	<u>Description</u>	<u>Size</u>	<u>Type</u>	<u>Quantity</u>	<u>Vintage</u>	<u>Unit Cost</u>	<u>Total Cost</u>
<b>Land</b>							
353.00	Treatment Plant	4.170	acres	1	1995	95,170.00	95,170.00
<b>Total Land</b>							<b>95,170.00</b>
<b>Structures and Improvements</b>							
354.00	Treatment Plant - building			1	1995	23,637.80	23,637.80
354.00	Treatment Plant - yard piping			1	1995	7,464.57	7,464.57
354.00	Treatment Plant - piping valve			1	1995	2,612.60	2,612.60
<i>Vintage 1995 Subtotal</i>							<b>33,714.97</b>
354.00	Treatment Plant - yard piping			1	1999	8,102.36	8,102.36
354.00	Treatment Plant - piping valve			1	1999	2,835.83	2,835.83
<i>Vintage 1999 Subtotal</i>							<b>10,938.19</b>
<b>Total Structures and Improvements</b>							<b>44,653.16</b>
<b>Gravity Mains</b>							
360.20	Phase I - Abbey Drive	8"	PVC	3,200	1995	20.01	64,032.00
360.20	Phase I - Coventry Cross Road	8"	PVC	1,100	1995	20.01	22,011.00
360.20	Phase I - Asbury Court	8"	PVC	260	1995	20.01	5,202.60
360.20	Phase I - Riverview Road	8"	PVC	880	1995	20.01	17,608.80
<i>Vintage 1995 Subtotal</i>							<b>108,854.40</b>
360.20	Phase II - Abbey Drive	8"	PVC	615	1999	21.48	13,210.20
360.20	Phase II - Coventry Cross Road	8"	PVC	675	1999	21.48	14,499.00
360.20	Phase II - Asbury Court	8"	PVC	1,475	1999	21.48	31,683.00
360.20	Phase II - Devonshire Court	8"	PVC	1,410	1999	21.48	30,286.80
360.20	Phase II - Burberry Lane	8"	PVC	30	1999	21.48	644.40
<i>Vintage 1999 Subtotal</i>							<b>90,323.40</b>

**The York Water Company  
Acquisition of the Asbury Pointe Wastewater System**

**Detailed Analysis of Original Cost as of June 30, 2012**

<u>Account</u>	<u>Description</u>	<u>Size</u>	<u>Type</u>	<u>Quantity</u>	<u>Vintage</u>	<u>Unit Cost</u>	<u>Total Cost</u>	
<b>Gravity Mains, continued</b>								
360.20	Phase III - Abbey Drive	8"	PVC	975	2003	24.87	24,248.25	
360.20	Phase III - Burberry Lane	8"	PVC	2,225	2003	24.87	55,335.75	
360.20	Phase III - Westminster Court	8"	PVC	775	2003	24.87	19,274.25	
	<i>Vintage 2003 Subtotal</i>							98,858.25
360.20	Asbury Pines	8"	PVC	1,200	2005	24.87	29,844.00	
	<i>Vintage 2005 Subtotal</i>							29,844.00
<b>Total Gravity Mains</b>				14,820			327,880.05	
<b>Manholes</b>								
361.20	Phase I - Abbey Drive	4'		11	1995	1,422.37	15,646.07	
361.20	Phase I - Coventry Cross Road	4'		3	1995	1,422.37	4,267.11	
361.20	Phase I - Asbury Court	4'		2	1995	1,422.37	2,844.74	
361.20	Phase I - Riverview Road	4'		4	1995	1,422.37	5,689.48	
	<i>Vintage 1995 Subtotal</i>							28,447.40
361.20	Phase II - Abbey Drive	4'		3	1999	1,546.61	4,639.83	
361.20	Phase II - Coventry Cross Road	4'		2	1999	1,546.61	3,093.22	
361.20	Phase II - Asbury Court	4'		4	1999	1,546.61	6,186.44	
361.20	Phase II - Devonshire Court	4'		4	1999	1,546.61	6,186.44	
361.20	Phase II - Burberry Lane	4'		1	1999	1,546.61	1,546.61	
	<i>Vintage 1999 Subtotal</i>							21,652.54
361.20	Phase III - Abbey Drive	4'		5	2003	1,743.69	8,718.45	
361.20	Phase III - Burberry Lane	4'		9	2003	1,743.69	15,693.21	
361.20	Phase III - Westminster Court	4'		4	2003	1,743.69	6,974.76	
	<i>Vintage 2003 Subtotal</i>							31,386.42
361.20	Asbury Pines	4'		5	2005	2,008.24	10,041.20	
	<i>Vintage 2005 Subtotal</i>							10,041.20
<b>Total Manholes</b>				57			91,527.56	

**The York Water Company  
Acquisition of the Asbury Pointe Wastewater System**

**Detailed Analysis of Original Cost as of June 30, 2012**

<u>Account</u>	<u>Description</u>	<u>Size</u>	<u>Type</u>	<u>Quantity</u>	<u>Vintage</u>	<u>Unit Cost</u>	<u>Total Cost</u>
<b>Services</b>							
363.00	Phase I - Abbey Drive			49	1995	590.29	28,924.21
363.00	Phase I - Coventry Cross Road			16	1995	590.29	9,444.64
363.00	Phase I - Riverview Road			10	1995	590.29	5,902.90
	<i>Vintage 1995 Subtotal</i>						<u>44,271.75</u>
363.00	Phase II - Abbey Drive			9	1999	642.20	5,779.80
363.00	Phase II - Coventry Cross Road			16	1999	642.20	10,275.20
363.00	Phase II - Asbury Court			28	1999	642.20	17,981.60
363.00	Phase II - Devonshire Court			25	1999	642.20	16,055.00
363.00	Phase II - Burberry Lane			1	1999	642.20	642.20
	<i>Vintage 1999 Subtotal</i>						<u>50,733.80</u>
363.00	Phase III - Abbey Drive			25	2003	706.62	17,665.50
363.00	Phase III - Burberry Lane			32	2003	706.62	22,611.84
363.00	Phase III - Westminster Court			5	2003	706.62	3,533.10
	<i>Vintage 2003 Subtotal</i>						<u>43,810.44</u>
363.00	Asbury Pines			21	2005	787.85	16,544.85
	<i>Vintage 2005 Subtotal</i>						<u>16,544.85</u>
	<b>Total Services</b>			<b>237</b>			<b>155,360.84</b>
<b>Pumping Equipment</b>							
371.00	Air Lift			1	1995	5,187.19	5,187.19
371.00	Chlorine Gas Feed System			1	1995	2,303.96	2,303.96
371.00	Electrical			1	1995	1,316.55	1,316.55
371.00	Sand Filter			1	1995	3,844.32	3,844.32
371.00	Submersible Pumps			1	1995	3,502.01	3,502.01
371.00	Utility Pump			1	1995	4,607.91	4,607.91
	<i>Vintage 1995 Subtotal</i>						<u>20,761.94</u>
371.00	Air Lift			1	1999	5,810.79	5,810.79
371.00	Electrical			1	1999	1,474.82	1,474.82
	<i>Vintage 1999 Subtotal</i>						<u>7,285.61</u>

**The York Water Company**  
**Acquisition of the Asbury Pointe Wastewater System**  
**Detailed Analysis of Original Cost as of June 30, 2012**

<u>Account</u>	<u>Description</u>	<u>Size</u>	<u>Type</u>	<u>Quantity</u>	<u>Vintage</u>	<u>Unit Cost</u>	<u>Total Cost</u>	
<b>Pumping Equipment, continued</b>								
371.00	Chlorine Gas Feed System			1	2003	2,895.68	2,895.68	
371.00	Electrical			1	2003	1,654.68	1,654.68	
371.00	Sand Filter			1	2003	4,831.65	4,831.65	
371.00	Utility Pump			1	2003	5,791.37	5,791.37	
	<i>Vintage 2003 Subtotal</i>							15,173.38
	<b>Total Pumping Equipment</b>							<b>43,220.93</b>
<b>Treatment Equipment</b>								
380.00	Aeration Tank			1	1995	35,546.76	35,546.76	
380.00	Blower			1	1995	4,950.22	4,950.22	
380.00	Chlorine Contact Tank			1	1995	5,529.50	5,529.50	
380.00	Clarifier			1	1995	23,961.15	23,961.15	
380.00	Comminuter			1	1995	4,081.29	4,081.29	
380.00	Lab Equipment			1	1995	526.62	526.62	
380.00	Sludge Storage Tank			1	1995	11,980.58	11,980.58	
	<i>Vintage 1995 Subtotal</i>							86,576.12
380.00	Aeration Tank			1	1999	39,820.14	39,820.14	
380.00	Blower			1	1999	5,545.32	5,545.32	
380.00	Clarifier			1	1999	26,841.73	26,841.73	
380.00	Lab Equipment			1	1999	589.93	589.93	
	<i>Vintage 1999 Subtotal</i>							72,797.12
380.00	Lab Equipment			1	2003	661.87	661.87	
	<i>Vintage 2003 Subtotal</i>							661.87
	<b>Total Treatment Equipment</b>							<b>160,035.11</b>

**The York Water Company  
Acquisition of the Asbury Pointe Wastewater System**

**Detailed Analysis of Original Cost as of June 30, 2012**

<u>Account</u>	<u>Description</u>	<u>Size</u>	<u>Type</u>	<u>Quantity</u>	<u>Vintage</u>	<u>Unit Cost</u>	<u>Total Cost</u>
	<b>Office Furniture and Equipment</b>						
390.00	Treatment Plant - Furniture			1	1995	157.99	157.99
	<i>Vintage 1995 Subtotal</i>						<i>157.99</i>
390.00	Treatment Plant - Furniture			1	2003	198.56	198.56
	<i>Vintage 2003 Subtotal</i>						<i>198.56</i>
	<b>Total Office Furniture and Equipment</b>						<b>356.55</b>
	<b>TOTAL WASTEWATER COMPANY</b>						<b>918,204.20</b>

PART III. CALCULATION OF ACCRUED DEPRECIATION

**THE YORK WATER COMPANY  
ACQUISITION OF ASBURY POINTE WASTEWATER SYSTEM**

**SUMMARY OF SERVICE LIFE ESTIMATES AND CALCULATED ACCRUED  
DEPRECIATION RELATED TO ORIGINAL COST AS OF JUNE 30, 2012**

<u>ACCOUNT</u> (1)	<u>DESCRIPTION</u> (2)	<u>SURVIVOR CURVE</u> (3)	<u>ORIGINAL COST</u> (4)	<u>ACCRUED DEPRECIATION</u> (5)
353.00	LAND	-	95,170.00	-
354.00	STRUCTURES AND IMPROVEMENTS	70-S1.5 *	44,653.16	18,562
360.20	GRAVITY MAINS	65-R2.5	327,880.05	58,580
361.20	MANHOLES	60-R3	91,527.56	17,997
363.00	SERVICES	55-R2.5	155,360.84	32,107
371.00	PUMPING EQUIPMENT	35-S1.5	43,220.93	15,258
380.00	TREATMENT EQUIPMENT	40-R2	160,035.11	51,555
390.00	OFFICE FURNITURE AND EQUIPMENT	20-SQ	356.55	223
	<b>TOTAL COMPANY</b>		<b>918,204.20</b>	<b>194,282</b>

\* Life Span procedure was used.

DETAILED DEPRECIATION CALCULATIONS

THE YORK WATER COMPANY  
ACQUISITION OF ASBURY POINTE WASTEWATER TREATMENT PLANT

ACCOUNT 354.0 STRUCTURES AND IMPROVEMENTS

CALCULATED ANNUAL AND ACCRUED DEPRECIATION  
RELATED TO ORIGINAL COST AS OF JUNE 30, 2012

YEAR (1)	ORIGINAL COST (2)	AVG. LIFE (3)	--ANNUAL ACCRUAL-- RATE (4)	AMOUNT (5)	EXP. (6)	--ACCRUED DEPREC.-- FACTOR (7)	AMOUNT (8)
INTERIM SURVIVOR CURVE.. IOWA 70-S1.5							
PROBABLE RETIREMENT YEAR.. 6-2035							
NET SALVAGE PERCENT.. 0							
1995	33,714.97	38.75	2.58	869.85	22.02	0.4317	14,556
1999	10,938.19	35.17	2.84	310.64	22.29	0.3662	4,006
	44,653.16			1,180.49			18,562

COMPOSITE ANNUAL ACCRUAL RATE, PERCENT .. 2.64

THE YORK WATER COMPANY  
ACQUISITION OF ASBURY POINTE WASTEWATER TREATMENT PLANT

ACCOUNT 360.2 GRAVITY MAINS

CALCULATED ANNUAL AND ACCRUED DEPRECIATION  
RELATED TO ORIGINAL COST AS OF JUNE 30, 2012

YEAR (1)	ORIGINAL COST (2)	AVG. LIFE (3)	--ANNUAL ACCRUAL-- RATE (4)	AMOUNT (5)	EXP. (6)	--ACCRUED DEPREC.-- FACTOR (7)	AMOUNT (8)
SURVIVOR CURVE.. IOWA 65-R2.5							
NET SALVAGE PERCENT.. 0							
1995	108,854.40	65.00	1.54	1,676.36	49.41	0.2399	26,109
1999	90,323.40	65.00	1.54	1,390.98	52.98	0.1849	16,703
2003	98,858.25	65.00	1.54	1,522.42	56.61	0.1291	12,761
2005	29,844.00	65.00	1.54	459.60	58.45	0.1008	3,007
	327,880.05			5,049.36			58,580

COMPOSITE ANNUAL ACCRUAL RATE, PERCENT .. 1.54

THE YORK WATER COMPANY  
ACQUISITION OF ASBURY POINTE WASTEWATER TREATMENT PLANT

ACCOUNT 361.2 MANHOLES

CALCULATED ANNUAL AND ACCRUED DEPRECIATION  
RELATED TO ORIGINAL COST AS OF JUNE 30, 2012

YEAR (1)	ORIGINAL COST (2)	AVG. LIFE (3)	--ANNUAL ACCRUAL-- RATE (4)	AMOUNT (5)	EXP. (6)	--ACCRUED DEPREC.-- FACTOR (7)	AMOUNT (8)
SURVIVOR CURVE.. IOWA 60-R3							
NET SALVAGE PERCENT.. 0							
1995	28,447.40	60.00	1.67	475.07	43.70	0.2717	7,728
1999	21,652.54	60.00	1.67	361.60	47.43	0.2095	4,536
2003	31,386.42	60.00	1.67	524.15	51.23	0.1462	4,588
2005	10,041.20	60.00	1.67	167.69	53.16	0.1140	1,145
	91,527.56			1,528.51			17,997
COMPOSITE ANNUAL ACCRUAL RATE, PERCENT .. 1.67							

THE YORK WATER COMPANY  
ACQUISITION OF ASBURY POINTE WASTEWATER TREATMENT PLANT

ACCOUNT 363.0 SERVICES

CALCULATED ANNUAL AND ACCRUED DEPRECIATION  
RELATED TO ORIGINAL COST AS OF JUNE 30, 2012

YEAR (1)	ORIGINAL COST (2)	AVG. LIFE (3)	--ANNUAL ACCRUAL-- RATE (4)	AMOUNT (5)	EXP. (6)	--ACCRUED DEPREC.-- FACTOR (7)	AMOUNT (8)
SURVIVOR CURVE.. IOWA 55-R2.5							
NET SALVAGE PERCENT.. 0							
1995	44,271.75	55.00	1.82	805.75	39.53	0.2813	12,452
1999	50,733.80	55.00	1.82	923.36	43.04	0.2175	11,032
2003	43,810.44	55.00	1.82	797.35	46.64	0.1520	6,659
2005	16,544.85	55.00	1.82	301.12	48.47	0.1187	1,964
	155,360.84			2,827.58			32,107
COMPOSITE ANNUAL ACCRUAL RATE, PERCENT .. 1.82							

THE YORK WATER COMPANY  
ACQUISITION OF ASBURY POINTE WASTEWATER TREATMENT PLANT

ACCOUNT 371.0 PUMPING EQUIPMENT

CALCULATED ANNUAL AND ACCRUED DEPRECIATION  
RELATED TO ORIGINAL COST AS OF JUNE 30, 2012

YEAR (1)	ORIGINAL COST (2)	AVG. LIFE (3)	--ANNUAL ACCRUAL-- RATE (4)	AMOUNT (5)	EXP. (6)	--ACCRUED DEPREC.-- FACTOR (7)	AMOUNT (8)
SURVIVOR CURVE.. IOWA 35-S1.5							
NET SALVAGE PERCENT.. 0							
1995	20,761.94	35.00	2.86	593.79	19.84	0.4331	8,993
1999	7,285.61	35.00	2.86	208.37	22.92	0.3451	2,515
2003	15,173.38	35.00	2.86	433.96	26.35	0.2471	3,750
	43,220.93			1,236.12			15,258

COMPOSITE ANNUAL ACCRUAL RATE, PERCENT .. 2.86

THE YORK WATER COMPANY  
ACQUISITION OF ASBURY POINTE WASTEWATER TREATMENT PLANT

ACCOUNT 380.0 TREATMENT EQUIPMENT

CALCULATED ANNUAL AND ACCRUED DEPRECIATION  
RELATED TO ORIGINAL COST AS OF JUNE 30, 2012

YEAR (1)	ORIGINAL COST (2)	AVG. LIFE (3)	--ANNUAL ACCRUAL-- RATE (4)	AMOUNT (5)	EXP. (6)	--ACCRUED DEPREC.-- FACTOR (7)	AMOUNT (8)
SURVIVOR CURVE.. IOWA 40-R2							
NET SALVAGE PERCENT.. 0							
1995	86,576.12	40.00	2.50	2,164.40	25.65	0.3588	31,059
1999	72,797.12	40.00	2.50	1,819.93	28.81	0.2798	20,365
2003	661.87	40.00	2.50	16.55	32.11	0.1973	131
	160,035.11			4,000.88			51,555
COMPOSITE ANNUAL ACCRUAL RATE, PERCENT .. 2.50							

THE YORK WATER COMPANY  
ACQUISITION OF ASBURY POINTE WASTEWATER TREATMENT PLANT

ACCOUNT 390.0 OFFICE FURNITURE AND EQUIPMENT

CALCULATED ANNUAL AND ACCRUED DEPRECIATION  
RELATED TO ORIGINAL COST AS OF JUNE 30, 2012

YEAR (1)	ORIGINAL COST (2)	AVG. LIFE (3)	--ANNUAL ACCRUAL-- RATE (4)	AMOUNT (5)	EXP. (6)	--ACCRUED DEPREC.-- FACTOR (7)	AMOUNT (8)
SURVIVOR CURVE.. 20-SQUARE							
NET SALVAGE PERCENT.. 0							
1995	157.99	20.00	5.00	7.90	3.00	0.8500	134
2003	198.56	20.00	5.00	9.93	11.00	0.4500	89
	356.55			17.83			223
COMPOSITE ANNUAL ACCRUAL RATE, PERCENT .. 5.00							



**pennsylvania**  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
BUREAU OF POINT AND NON-POINT SOURCE MANAGEMENT

RECEIVED  
2012 OCT 22 AM 11:28  
PA P.U.C. BUREAU  
SECRETARY'S OFFICE

**AUTHORIZATION TO DISCHARGE UNDER THE  
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM  
DISCHARGE REQUIREMENTS FOR NON-MUNICIPAL  
SEWAGE TREATMENT WORKS**

**NPDES PERMIT NO: PA0084794  
Amendment No. 1**

In compliance with the provisions of the Clean Water Act, 33 U.S.C. Section 1251 *et seq.* ("the Act") and Pennsylvania's Clean Streams Law, as amended, 35 P.S. Section 691.1 *et seq.*,

**The York Water Company  
130 E Market Street PO Box 15089  
York, PA 17405-7089**

is authorized to discharge from a facility known as **Asbury Pointe STP**, located in **East Manchester Township, York County**, to **Codorus Creek** in Watershed(s) **7-H** in accordance with effluent limitations, monitoring requirements and other conditions set forth in Parts A, B and C hereof.

THIS PERMIT SHALL BECOME EFFECTIVE ON     JULY 1, 2012    

THIS PERMIT SHALL EXPIRE AT MIDNIGHT ON     AUGUST 31, 2013    

The authority granted by this permit is subject to the following further qualifications:

1. If there is a conflict between the application, its supporting documents and/or amendments and the terms and conditions of this permit, the terms and conditions shall apply.
2. Failure to comply with the terms, conditions or effluent limitations of this permit is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application. (40 CFR 122.41(a))
3. A complete application for renewal of this permit, or notice of intent to cease discharging by the expiration date, must be submitted to DEP at least 180 days prior to the above expiration date (unless permission has been granted by DEP for submission at a later date), using the appropriate NPDES permit application form. (40 CFR 122.41(b), 122.21(d)(2))

In the event that a timely and complete application for renewal has been submitted and DEP is unable, through no fault of the permittee, to reissue the permit before the above expiration date, the terms and conditions of this permit, including submission of the Discharge Monitoring Reports (DMRs), will be automatically continued and will remain fully effective and enforceable against the discharger until DEP takes final action on the pending permit application. (25 Pa. Code 92a.7(b), (c))

4. This NPDES permit does not constitute authorization to construct or make modifications to wastewater treatment facilities necessary to meet the terms and conditions of this permit.

DATE PERMIT ISSUED     SEPTEMBER 1, 2008      
DATE PERMIT AMENDMENT ISSUED     JUN 13 2012    

ISSUED BY     Maria S. Bebenek      
**Maria Bebenek, P.E.**  
**Clean Water Program Manager**  
**Southcentral Regional Office**

**PART A: EFFLUENT LIMITATIONS, MONITORING, RECORDKEEPING AND REPORTING REQUIREMENTS**

I. A. For Outfall 001, Latitude 40° 03' 22", Longitude 76° 38' 42", River Mile Index 0.20, Stream Code 08032  
 Receiving Waters: Codorus Creek  
 Type of Effluent: Sewage

- The permittee is authorized to discharge during the period from July 1, 2012 through August 31, 2013.
- Based on the anticipated wastewater characteristics and flows described in the permit application and its supporting documents and/or amendments, the following effluent limitations and monitoring requirements apply (see also Additional Requirements and Footnotes).

Parameter	Effluent Limitations						Monitoring Requirements	
	Mass Units (lbs/day) <sup>(1)</sup>		Concentrations (mg/L)				Minimum <sup>(2)</sup> Measurement Frequency	Required Sample Type
	Average Monthly	Daily Maximum	Minimum	Average Monthly		Instant. Maximum		
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX	Continuous	Measured
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0	1/day	Grab
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX	1/day	Grab
Total Residual Chlorine	XXX	XXX	XXX	0.50	XXX	1.00	1/day	Grab
CBOD5	XXX	XXX	XXX	25	XXX	50	2/month	8-Hr Composite
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60	2/month	8-Hr Composite
Fecal Coliform (CFU/100 ml) May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	XXX	2/month	Grab
Fecal Coliform (CFU/100 ml) Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	XXX	2/month	Grab
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	XXX	2/month	8-Hr Composite

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

at Outfall 001

**PART A - EFFLUENT LIMITATIONS, MONITORING, RECORDKEEPING AND REPORTING REQUIREMENTS**  
**(Continued)**

Additional Requirements

1. The permittee may not discharge:
  - a. Floating solids, scum, sheen or substances that result in observed deposits in the receiving water. (25 Pa Code 92a.41(c))
  - b. Oil and grease in amounts that cause a film or sheen upon or discoloration of the waters of this Commonwealth or adjoining shoreline, or that exceed 15 mg/l as a daily average or 30 mg/l at any time (or lesser amounts if specified in this permit). (25 Pa. Code 92a.47(a)(7) and 95.2(2))
  - c. Substances in concentration or amounts sufficient to be inimical or harmful to the water uses to be protected or to human, animal, plant or aquatic life. (25 Pa Code 93.6(a))
  - d. Foam or substances that produce an observed change in the color, taste, odor or turbidity of the receiving water, unless those conditions are otherwise controlled through effluent limitations or other requirements in this permit. (25 Pa Code 92a.41(c))
2. If the permit requires the reporting of average weekly statistical results, the maximum weekly average concentration and maximum weekly average mass loading shall be reported, regardless of whether the results are obtained for the same or different weeks.
3. The permittee shall monitor the sewage effluent discharge(s) for the effluent parameters identified in the Part A limitations table(s) during all bypass events at the facility, using the sample types that are specified in the limitations table(s). Where the required sample type is "composite", the permittee must commence sample collection within one hour of the start of the bypass, wherever possible. The results shall be reported on the Daily Effluent Monitoring supplemental form (3800-FM-BPNPSM0435) and be incorporated into the calculations used to report self-monitoring data on Discharge Monitoring Reports (DMRs).

Footnotes

- (1) When sampling to determine compliance with mass effluent limitations, the discharge flow at the time of sampling must be measured and recorded.
- (2) This is the minimum number of sampling events required. Permittees are encouraged, and it may be advantageous in demonstrating compliance, to perform more than the minimum number of sampling events.

## II. DEFINITIONS

*At Outfall (XXX)* means a sampling location in outfall line XXX below the last point at which wastes are added to outfall line (XXX), or where otherwise specified.

*Average* refers to the use of an arithmetic mean, unless otherwise specified in this permit. (40 CFR 122.41(l)(4)(iii))

*Best Management Practices (BMPs)* means schedules of activities, prohibitions of practices, maintenance procedures and other management practices to prevent or reduce the pollution to surface waters of the Commonwealth. BMPs also include treatment requirements, operating procedures and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. (25 Pa. Code 92a.2)

*Bypass* means the intentional diversion of waste streams from any portion of a treatment facility. (40 CFR 122.41(m)(1)(i))

*Calendar Week* is defined as the seven consecutive days from Sunday through Saturday, unless the permittee has been given permission by DEP to provide weekly data as Monday through Friday based on showing excellent performance of the facility and a history of compliance. In cases when the week falls in two separate months, the month with the most days in that week shall be the month for reporting.

*Clean Water Act* means the Federal Water Pollution Control Act, as amended. (33 U.S.C.A. §§1251 to 1387).

*Composite Sample* (for all except GC/MS volatile organic analysis) means a combination of individual samples (at least eight for a 24-hour period or four for an 8-hour period) of at least 100 milliliters (mL) each obtained at spaced time intervals during the compositing period. The composite must be flow-proportional; either the volume of each individual sample is proportional to discharge flow rates, or the sampling interval is proportional to the flow rates over the time period used to produce the composite. (EPA Form 2C)

*Composite Sample* (for GC/MS volatile organic analysis) consists of at least four aliquots or grab samples collected during the sampling event (not necessarily flow proportioned). The samples must be combined in the laboratory immediately before analysis and then one analysis is performed. (EPA Form 2C)

*Daily Average Temperature* means the average of all temperature measurements made, or the mean value plot of the record of a continuous automated temperature recording instrument, either during a calendar day or during the operating day if flows are of a shorter duration.

*Daily Discharge* means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the "daily discharge" is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the "daily discharge" is calculated as the average measurement of the pollutant over the day. (25 Pa. Code 92a.2 and 40 CFR 122.2)

*Daily Maximum Discharge Limitation* means the highest allowable "daily discharge."

*Discharge Monitoring Report (DMR)* means the DEP or EPA supplied form(s) for the reporting of self-monitoring results by the permittee. (25 Pa. Code 92a.2 and 40 CFR 122.2)

*Estimated Flow* means any method of liquid volume measurement based on a technical evaluation of the sources contributing to the discharge including, but not limited to, pump capabilities, water meters and batch discharge volumes.

*Geometric Mean* means the average of a set of n sample results given by the nth root of their product.

*Grab Sample* means an individual sample of at least 100 mL collected at a randomly selected time over a period not to exceed 15 minutes. (EPA Form 2C)

*Hazardous Substance* means any substance designated under 40 CFR Part 116 pursuant to Section 311 of the Clean Water Act. (40 CFR 122.2)

*Hauled-In Wastes* means any waste that is introduced into a treatment facility through any method other than a direct connection to the sewage collection system. The term includes wastes transported to and disposed of within the treatment facility or other entry points within the collection system.

*Immersion Stabilization (i-s)* means a calibrated device is immersed in the wastewater until the reading is stabilized.

*Instantaneous Maximum Effluent Limitation* means the highest allowable discharge of a concentration or mass of a substance at any one time as measured by a grab sample. (25 Pa. Code 92a.2)

*Measured Flow* means any method of liquid volume measurement, the accuracy of which has been previously demonstrated in engineering practice, or for which a relationship to absolute volume has been obtained.

*Monthly Average Discharge Limitation* means the highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month. (25 Pa. Code 92a.2)

*Non-contact Cooling Water* means water used to reduce temperature which does not come in direct contact with any raw material, intermediate product, waste product (other than heat), or finished product.

*Severe Property Damage* means substantial physical damage to property, damage to the treatment facilities that causes them to become inoperable, or substantial and permanent loss of natural resources that can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production. (40 CFR 122.41(m)(1)(ii))

*Stormwater* means the runoff from precipitation, snow melt runoff, and surface runoff and drainage. (25 Pa. Code 92a.2)

*Stormwater Associated With Industrial Activity* means the discharge from any conveyance that is used for collecting and conveying stormwater and that is directly related to manufacturing, processing, or raw materials storage areas at an industrial plant, and as defined at 40 CFR §122.26(b)(14)(i) - (ix) and (xi) and 25 Pa. Code 92a.2.

*Total Dissolved Solids* means the total dissolved (filterable) solids as determined by use of the method specified in 40 CFR Part 136.

*Toxic Pollutant* means those pollutants, or combinations of pollutants, including disease-causing agents, which after discharge and upon exposure, ingestion, inhalation or assimilation into any organism, either directly from the environment or indirectly by ingestion through food chains may, on the basis of information available to DEP cause death, disease, behavioral abnormalities, cancer, genetic mutations, physiological malfunctions, including malfunctions in reproduction, or physical deformations in these organisms or their offspring. (25 Pa. Code 92a.2)

### III. SELF-MONITORING, REPORTING AND RECORDKEEPING

#### A. Representative Sampling

1. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity (40 CFR 122.41(j)(1)). Representative sampling includes the collection of samples during periods of adverse weather, changes in treatment plant performance and changes in treatment plant loading. If possible, effluent samples must be collected where the effluent is well mixed near the center of the discharge conveyance and at the approximate mid-depth point, where the turbulence is at a maximum and the settlement of solids is minimized.

2. Records Retention (40 CFR 122.41(j)(2))

Except for records of monitoring information required by this permit related to the permittee's sludge use and disposal activities which shall be retained for a period of at least 5 years, all records of monitoring activities and results (including all original strip chart recordings for continuous monitoring instrumentation and calibration and maintenance records), copies of all reports required by this permit, and records of all data used to complete the application for this permit shall be retained by the permittee for 3 years from the date of the sample measurement, report or application. The 3-year period shall be extended as requested by DEP or the EPA Regional Administrator.

3. Recording of Results (40 CFR 122.41(j)(3))

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information:

- a. The exact place, date and time of sampling or measurements.
- b. The person(s) who performed the sampling or measurements.
- c. The date(s) the analyses were performed.
- d. The person(s) who performed the analyses.
- e. The analytical techniques or methods used; and the associated detection level.
- f. The results of such analyses.

4. Test Procedures (40 CFR 122.41(j)(4))

Facilities that test or analyze environmental samples used to demonstrate compliance with this permit shall be in compliance with laboratory accreditation requirements of Act 90 of 2002 (27 Pa. C.S. §§4101-4113) and 25 Pa. Code Chapter 252, relating to environmental laboratory accreditation. Unless otherwise specified in this permit, the test procedures for the analysis of pollutants shall be those approved under 40 CFR Part 136 (or in the case of sludge use or disposal, approved under 40 CFR Part 136, unless otherwise specified in 40 CFR Part 503 or Subpart J of 25 Pa. Code Chapter 271), or alternate test procedures approved pursuant to those parts, unless other test procedures have been specified in this permit.

5. Quality/Assurance/Control

In an effort to assure accurate self-monitoring analyses results:

- a. The permittee, or its designated laboratory, shall participate in the periodic scheduled quality assurance inspections conducted by DEP and EPA. (40 CFR 122.41(e), 122.41(i)(3))
- b. The permittee, or its designated laboratory, shall develop and implement a program to assure the quality and accurateness of the analyses performed to satisfy the requirements of this permit, in accordance with 40 CFR Part 136. (40 CFR 122.41(j)(4))

B. Reporting of Monitoring Results

1. The permittee shall effectively monitor the operation and efficiency of all wastewater treatment and control facilities, and the quantity and quality of the discharge(s) as specified in this permit. (40 CFR 122.41(e), 122.44(i)(1))
2. Discharge Monitoring Reports (DMRs) must be completed in accordance with DEP's published DMR Instructions (3800-BPNPSM-0463). DMRs are based on calendar reporting periods. DMR(s) must be received by the agency(ies) specified in paragraph 3 below in accordance with the following schedule:
  - Monthly DMRs must be received within 28 days following the end of each calendar month.
  - Quarterly DMRs must be received within 28 days following the end of each calendar quarter, i.e., January 28, April 28, July 28, and October 28.
  - Semiannual DMRs must be received within 28 days following the end of each calendar semiannual period, i.e., January 28 and July 28.
  - Annual DMRs must be received by January 28, unless Part C of this permit requires otherwise.
3. The permittee shall complete all Supplemental Reporting forms (Supplemental DMRs) provided by DEP in this permit (or an approved equivalent), and submit the signed, completed forms as an attachment to the DMR(s). If the permittee elects to use DEP's electronic DMR (eDMR) system, one electronic submission may be made for DMRs and Supplemental DMRs. If paper forms are used, the completed forms shall be mailed to:

Department of Environmental Protection  
Clean Water Program  
909 Elmerton Avenue  
Harrisburg, PA 17110-8200
4. If the permittee elects to begin using DEP's eDMR system to submit DMRs required by the permit, the permittee shall, to assure continuity of business operations, continue using the eDMR system to submit all DMRs and Supplemental Reports required by the permit, unless the following steps are completed to discontinue use of eDMR:
  - a. The permittee shall submit written notification to the regional office that issued the permit that it intends to discontinue use of eDMR. The notification shall be signed by a principal executive officer or authorized agent of the permittee.
  - b. The permittee shall continue using eDMR until the permittee receives written notification from DEP's Central Office that the facility has been removed from the eDMR system, and electronic report submissions are no longer expected.
5. The completed DMR Form shall be signed and certified by either of the following applicable persons; as defined in 25 Pa. Code 92a.22:
  - For a corporation - by a principal executive officer of at least the level of vice president, or an authorized representative, if the representative is responsible for the overall operation of the facility from which the discharge described in the NPDES form originates.
  - For a partnership or sole proprietorship - by a general partner or the proprietor, respectively.
  - For a municipality, state, federal or other public agency - by a principal executive officer or ranking elected official.

If signed by a person other than the above, written notification of delegation of DMR signatory authority must be submitted to DEP in advance of or along with the relevant DMR form. (40 CFR 122.22(b))

6. If the permittee monitors any pollutant at monitoring points as designated by this permit, using analytical methods described in Part A III.A.4. herein, more frequently than the permit requires, the results of this monitoring shall be incorporated, as appropriate, into the calculations used to report self-monitoring data on the DMR. (40 CFR 122.41(l)(4)(ii))

C. Reporting Requirements

1. **Planned Changes to Physical Facilities** – The permittee shall give notice to DEP as soon as possible but no later than 30 days prior to planned physical alterations or additions to the permitted facility. A permit under 25 Pa. Code Chapter 91 may be required for these situations prior to implementing the planned changes. A permit application, or other written submission to DEP, can be used to satisfy the notification requirements of this section.

Notice is required when:

- a. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR §122.29(b). (40 CFR 122.41(l)(1)(i))
  - b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are not subject to effluent limitations in this permit. (40 CFR 122.41(l)(1)(ii))
  - c. The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan. (40 CFR 122.41(l)(1)(iii))
  - d. The planned change may result in noncompliance with permit requirements. (40 CFR 122.41(l)(2))
  - e. The facility is proposing an expansion or modifications to its treatment processes.
2. **Planned Changes to Waste Stream** – Under the authority of 25 Pa. Code 92a.24(a), the permittee shall provide notice to DEP as soon as possible but no later than 45 days prior to any changes in the volume or pollutant concentration of its influent waste stream as a result of indirect discharges or hauled-in wastes, as specified in paragraphs 2.a. and 2.b., below. Notice shall be provided on the "Planned Changes to Waste Stream" Supplemental Report (3800-FM-BPNPSM0482), available on DEP's web site. The permittee shall provide information on the quality and quantity of waste introduced into the facility, and any anticipated impact of the change on the quantity or quality of effluent to be discharged from the facility. The Report shall be sent via Certified Mail or other means to confirm DEP's receipt of the notification. DEP will determine if the submission of a new application and receipt of a new or amended permit is required.

- a. **Introduction of New Pollutants** (25 Pa. Code 92a.24(a))

New pollutants are defined as parameters that meet one or more of the following criteria:

- (i) Were not detected in the facilities' influent waste stream as reported in the permit application, or were otherwise not analyzed in the influent and reported to DEP prior to permit issuance;
- (ii) Have not been previously approved to be included in the permittee's influent waste stream by DEP in writing.

The permittee shall provide notification of the introduction of new pollutants in accordance with paragraph 2 above. The permittee may not authorize the introduction of new pollutants until the permittee receives DEP's written approval.

- b. **Increased Loading of Approved Pollutants** (25 Pa. Code 92a.24(a))

Approved pollutants are defined as parameters that meet one or more of the following criteria:

- (i) Were detected in the facilities' influent waste stream as reported in the permittee's permit application or were otherwise analyzed and reported to DEP prior to permit issuance;
- (ii) Have an effluent limitation or monitoring requirement in this permit;
- (iii) Have been previously approved for the permittee's influent waste stream by DEP in writing.

The permittee shall provide notification of the introduction of increased influent loading (lbs/day) of approved pollutants in accordance with paragraph 2 above when (1) the cumulative increase in influent loading (lbs/day) exceeds 10% of the maximum loading reported in the permit application, or a loading previously approved by DEP, or (2) may cause an exceedance in the effluent of Effluent Limitation Guidelines (ELGs) or limitations in Part A of this permit, or (3) may cause interference or pass through at the facility, or (4) may cause exceedances of the applicable water quality standards in the receiving stream. Unless specified otherwise in this permit, if DEP does not respond to the notification within 30 days of its receipt, the permittee may proceed with the increase in loading. The acceptance of increased loading of approved pollutants may not result in an exceedance of ELGs or effluent limitations and may not cause exceedances of the applicable water quality standards in the receiving stream.

c. New Information on Existing Discharges

The permittee shall notify DEP where it discovers new information, not reported previously, on the quality and quantity of the effluent introduced into the facility by an industrial user or an indirect discharger and the anticipated impact of the change in the quality and quantity of effluent to be discharged from the facility. (40 CFR 122.41(h) and 122.62)

3. Reporting Requirements for Hauled-In Wastes

a. Receipt of Residual Waste

- (i) The permittee shall document the receipt of all hauled-in residual wastes (including but not limited to wastewater from oil and gas wells, food processing waste, and landfill leachate) received for processing at the treatment facility. The permittee shall report hauled-in residual wastes on a monthly basis to DEP on the "Hauled In Residual Wastes" Supplemental Report (3800-FM-BPNPSM0450) as an attachment to the DMR. If no residual wastes were received during a month, submission of the Supplemental Report is not required.

The following information is required by the Supplemental Report. The information used to develop the Report shall be retained by the permittee for five years from the date of receipt and must be made available to DEP or EPA upon request.

- (1) The dates that residual wastes were received.
- (2) The volume (gallons) of wastes received.
- (3) The license plate number of the vehicle transporting the waste to the treatment facility.
- (4) The permit number(s) of the well(s) where residual wastes were generated, if applicable.
- (5) The name and address of the generator of the residual wastes.
- (6) The type of wastewater.

- (7) Documentation of whether or not a chemical analysis of the residual wastes were reported on a Residual Waste Form 26R, or a separate waste characterization using the parameters from Form 26R.

The transporter of residual waste must maintain these and other records as part of the daily operational record (25 Pa. Code 299.219). If the transporter is unable to provide this information, the residual wastes shall not be accepted by the permittee until such time as the transporter is able to provide the required information.

- (ii) The following conditions apply to the characterization of residual wastes received by the permitted treatment facility:
  - (1) The permitted facility must receive and maintain on file a characterization of the residual wastes it receives from the generator, as required by 25 Pa. Code 287.54. The characterization shall conform to the Bureau of Waste Management's Form 26R except as noted in paragraph (2), below. Each load of residual waste received must be characterized accordingly.
  - (2) For wastewater generated from hydraulic fracturing operations ("frac wastewater") within the first 30 production days of a well site, the characterization may be a general frac wastewater characterization approved by DEP. Thereafter, the characterization must be waste-specific and reported on the Form 26R.

b. Receipt of Municipal Waste

- (i) The permittee shall document the receipt of all hauled-in municipal wastes (including but not limited to septage and liquid sewage sludge) received for processing at the treatment facility. The permittee shall report hauled-in municipal wastes on a monthly basis to DEP on the "Hauled In Municipal Wastes" Supplemental Report (3800-FM-BPNPSM0437) as an attachment to the DMR. If no municipal wastes were received during a month, submission of the Supplemental Report is not required.

The following information is required by the Supplemental Report:

- (1) The dates that municipal wastes were received.
- (2) The volume (gallons) of wastes received.
- (3) The BOD<sub>5</sub> concentration (mg/l) and load (lbs) for the wastes received.
- (4) The location(s) where wastes were disposed of within the treatment facility.

- (ii) Sampling and analysis of hauled-in municipal wastes must be completed to characterize the organic strength of the wastes, unless composite sampling of influent wastewater is performed at a location downstream of the point of entry for the wastes.

4. Unanticipated Noncompliance or Potential Pollution Reporting

- a. Immediate Reporting - The permittee shall immediately report any incident causing or threatening pollution in accordance with the requirements of 25 Pa. Code Sections 91.33 and 92a.41(b).
  - (i) If, because of an accident, other activity or incident a toxic substance or another substance which would endanger users downstream from the discharge, or would otherwise result in pollution or create a danger of pollution or would damage property, the permittee shall immediately notify DEP by telephone of the location and nature of the danger. Oral notification to the Department is required as soon as possible, but no later than 4 hours after the permittee becomes aware of the incident causing or threatening pollution.

- (ii) If reasonably possible to do so, the permittee shall immediately notify downstream users of the waters of the Commonwealth to which the substance was discharged. Such notice shall include the location and nature of the danger.
  - (iii) The permittee shall immediately take or cause to be taken steps necessary to prevent injury to property and downstream users of the waters from pollution or a danger of pollution and, in addition, within 15 days from the incident, shall remove the residual substances contained thereon or therein from the ground and from the affected waters of this Commonwealth to the extent required by applicable law.
- b. The permittee shall report any noncompliance which may endanger health or the environment in accordance with the requirements of 40 CFR 122.41(l)(6). These requirements include the following obligations:
- (i) 24 Hour Reporting - The permittee shall orally report any noncompliance with this permit which may endanger health or the environment within 24 hours from the time the permittee becomes aware of the circumstances. The following shall be included as information which must be reported within 24 hours under this paragraph:
    - (1) Any unanticipated bypass which exceeds any effluent limitation in the permit;
    - (2) Any upset which exceeds any effluent limitation in the permit; and
    - (3) Violation of the maximum daily discharge limitation for any of the pollutants listed in the permit as being subject to the 24-hour reporting requirement. (40 CFR 122.44(g))
  - (ii) Written Report - A written submission shall also be provided within 5 days of the time the permittee becomes aware of any noncompliance which may endanger health or the environment. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.
  - (iii) Waiver of Written Report - DEP may waive the written report on a case-by-case basis if the associated oral report has been received within 24 hours from the time the permittee becomes aware of the circumstances which may endanger health or the environment. Unless such a waiver is expressly granted by DEP, the permittee shall submit a written report in accordance with this paragraph. (40 CFR 122.41(l)(6)(iii))

#### 5. Other Noncompliance

The permittee shall report all instances of noncompliance not reported under paragraph C.4 of this section or specific requirements of compliance schedules, at the time DMRs are submitted, on the Non-Compliance Reporting Form (3800-FM-BPNPSM0440). The reports shall contain the information listed in paragraph C.4.b.(ii) of this section. (40 CFR 122.41(l)(7))

**PART B**

**I. MANAGEMENT REQUIREMENTS**

**A. Compliance Schedules (25 Pa. Code 92a.51 and 40 CFR 122.47(a))**

1. The permittee shall achieve compliance with the terms and conditions of this permit within the time frames specified in this permit.
2. The permittee shall submit reports of compliance or noncompliance, or progress reports as applicable, for any interim and final requirements contained in this permit. Such reports shall be submitted no later than 14 days following the applicable schedule date or compliance deadline. (40 CFR 122.47(a)(4))

**B. Permit Modification, Termination, or Revocation and Reissuance**

1. This permit may be modified, terminated, or revoked and reissued during its term in accordance with Title 25 Pa. Code 92a.72 and 40 CFR 122.41(f).
2. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition. (40 CFR 122.41(f))
3. In the absence of DEP action to modify or revoke and reissue this permit, the permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants within the time specified in the regulations that establish those standards or prohibitions. (40 CFR 122.41(a)(1))

**C. Duty to Provide Information**

1. The permittee shall furnish to DEP, within a reasonable time, any information which DEP may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. (40 CFR 122.41(h))
2. The permittee shall furnish to DEP, upon request, copies of records required to be kept by this permit. (40 CFR 122.41(h))
3. Other Information - Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to DEP, it shall promptly submit the correct and complete facts or information. (40 CFR 122.41(l)(8))
4. If the sewage treatment facility provides service in part or whole to a municipality, through a contract or agreement between the operator and municipality, an annual report shall be submitted to DEP by March 31 containing the following information, at a minimum:
  - a. The information identified in 25 Pa. Code 94.12.
  - b. A "Solids Management Inventory" including the following information for the preceding year, at a minimum: average annual flow (MGD), average influent BOD<sub>5</sub> (mg/l), average effluent CBOD<sub>5</sub> (mg/l), total volume of sludge wasted (gallons), average solids concentration of return or waste sludge flow (mg/l), and total sludge or biosolids generated (wet or dry tons).
  - c. The total volume of hauled-in residual and municipal wastes received during the year, by source.

**D. General Pretreatment Requirements**

Where pollutants contributed by indirect dischargers result in interference or pass through, and a violation is likely to recur, the permittee shall develop and enforce specific limits for indirect dischargers and other users, as appropriate, that together with appropriate facility or operational changes, are necessary to

ensure renewed or continued compliance with this permit or sludge use or disposal practices. The permittee shall submit a copy of such limits to DEP when developed. (25 Pa. Code 92a.47(d)).

E. Proper Operation and Maintenance

1. The permittee shall employ operators certified in compliance with the Water and Wastewater Systems Operators Certification Act (63 P.S. §§1001-1015.1).
2. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance includes, but is not limited to, adequate laboratory controls including appropriate quality assurance procedures. This provision also includes the operation of backup or auxiliary facilities or similar systems that are installed by the permittee, only when necessary to achieve compliance with the terms and conditions of this permit. (40 CFR 122.41(e))

F. Duty to Mitigate

The permittee shall take all reasonable steps to minimize or prevent any discharge, sludge use or disposal in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment. (40 CFR 122.41(d))

G. Bypassing

1. Bypassing Not Exceeding Permit Limitations - The permittee may allow a bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions in paragraphs two, three and four of this section. (40 CFR 122.41(m)(2))
2. Other Bypassing - In all other situations, bypassing is prohibited and DEP may take enforcement action against the permittee for bypass unless:
  - a. A bypass is unavoidable to prevent loss of life, personal injury or "severe property damage." (40 CFR 122.41(m)(4)(i)(A))
  - b. There are no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate backup equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance. (40 CFR 122.41(m)(4)(i)(B))
  - c. The permittee submitted the necessary notice required in G.4.a. and b. below. (40 CFR 122.41(m)(4)(i)(C))
3. DEP may approve an anticipated bypass, after considering its adverse effects, if DEP determines that it will meet the conditions listed in G.2. above. (40 CFR 122.41(m)(4)(ii))
4. Notice
  - a. Anticipated Bypass – If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible, at least 10 days before the bypass. (40 CFR 122.41(m)(3)(i))
  - b. Unanticipated Bypass
    - (i) The permittee shall submit immediate notice of an unanticipated bypass causing or threatening pollution. The notice shall be in accordance with Part A III.3.a.

- (ii) The permittee shall submit oral notice of any other unanticipated bypass within 24 hours, regardless of whether the bypass may endanger health or the environment or whether the bypass exceeds effluent limitations. The notice shall be in accordance with Part A III.C.3.b.

#### H. Sanitary Sewer Overflows (SSOs)

An SSO is an overflow of wastewater, or other untreated discharge from a separate sanitary sewer system (which is not a combined sewer system), which results from a flow in excess of the carrying capacity of the system or from some other cause prior to reaching the headworks of the sewage treatment facility. SSOs are not authorized under this permit. The permittee shall immediately report any SSO to DEP in accordance with Part A III.C.4 of this permit.

## II. PENALTIES AND LIABILITY

### A. Violations of Permit Conditions

Any person violating Sections 301, 302, 306, 307, 308, 318 or 405 of the Clean Water Act or any permit condition or limitation implementing such sections in a permit issued under Section 402 of the Act is subject to civil, administrative and/or criminal penalties as set forth in 40 CFR §122.41(a)(2).

Any person or municipality, who violates any provision of this permit; any rule, regulation or order of DEP; or any condition or limitation of any permit issued pursuant to the Clean Streams Law, is subject to criminal and/or civil penalties as set forth in Sections 602, 603 and 605 of the Clean Streams Law.

### B. Falsifying Information

Any person who does any of the following:

- Falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit, or
- Knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit (including monitoring reports or reports of compliance or noncompliance)

Shall, upon conviction, be punished by a fine and/or imprisonment as set forth in 18 Pa.C.S.A § 4904 and 40 CFR §122.41(j)(5) and (k)(2).

### C. Liability

Nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance pursuant to Section 309 of the Clean Water Act or Sections 602, 603 or 605 of the Clean Streams Law.

Nothing in this permit shall be construed to preclude the institution of any legal action or to relieve the permittee from any responsibilities, liabilities or penalties to which the permittee is or may be subject to under the Clean Water Act and the Clean Streams Law.

### D. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for the permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. (40 CFR 122.41(c))

### III. OTHER RESPONSIBILITIES

#### A. Right of Entry

Pursuant to Sections 5(b) and 305 of Pennsylvania's Clean Streams Law, and Title 25 Pa. Code Chapter 92a and 40 CFR §122.41(i), the permittee shall allow authorized representatives of DEP and EPA, upon the presentation of credentials and other documents as may be required by law:

1. To enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit; (40 CFR 122.41(i)(1))
2. To have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit; (40 CFR 122.41(i)(2))
3. To inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices or operations regulated or required under this permit; and (40 CFR 122.41(i)(3))
4. To sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act or the Clean Streams Law, any substances or parameters at any location. (40 CFR 122.41(i)(4))

#### B. Transfer of Permits

1. Transfers by modification. Except as provided in paragraph 2 of this section, a permit may be transferred by the permittee to a new owner or operator only if this permit has been modified or revoked and reissued, or a minor modification made to identify the new permittee and incorporate such other requirements as may be necessary under the Clean Water Act. (40 CFR 122.61(a))
2. Automatic transfers. As an alternative to transfers under paragraph 1 of this section, any NPDES permit may be automatically transferred to a new permittee if:
  - a. The current permittee notifies DEP at least 30 days in advance of the proposed transfer date in paragraph 2.b. of this section; (40 CFR 122.61(b)(1))
  - b. The notice includes the appropriate DEP transfer form signed by the existing and new permittees containing a specific date for transfer of permit responsibility, coverage and liability between them; and (40 CFR 122.61(b)(2))
  - c. DEP does not notify the existing permittee and the proposed new permittee of its intent to modify or revoke and reissue this permit, the transfer is effective on the date specified in the agreement mentioned in paragraph 2.b. of this section. (40 CFR 122.61(b)(3))
  - d. The new permittee is in compliance with existing DEP issued permits, regulations, orders and schedules of compliance, or has demonstrated that any noncompliance with the existing permits has been resolved by an appropriate compliance action or by the terms and conditions of the permit (including compliance schedules set forth in the permit), consistent with 25 Pa. Code 92a.51 (relating to schedules of compliance) and other appropriate DEP regulations. (25 Pa. Code 92a.71)
3. In the event DEP does not approve transfer of this permit, the new owner or controller must submit a new permit application.

#### C. Property Rights

The issuance of this permit does not convey any property rights of any sort, or any exclusive privilege. 40 CFR 122.41(g)

#### D. Duty to Reapply

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for a new permit. (40 CFR 122.41(b))

E. Other Laws

The issuance of this permit does not authorize any injury to persons or property or invasion of other private rights, or any infringement of state or local law or regulations.

IV. ANNUAL FEE

Permittees shall pay an annual fee in accordance with 25 Pa. Code § 92a.62. Annual fee amounts are specified in the following schedule and are due on each anniversary of the effective date of the most recent new or reissued permit. All flows identified in the schedule are annual average design flows. (25 Pa. Code 92a.62)

Small Flow Treatment Facility (SRSTP or SFTF)	\$0
Minor Sewage Facility < 0.05 MGD (million gallons per day)	\$250
Minor Sewage Facility ≥ 0.05 and < 1 MGD	\$500
Minor Sewage Facility with CSO (Combined Sewer Overflow)	\$750
Major Sewage Facility ≥ 1 and < 5 MGD	\$1,250
Major Sewage Facility ≥ 5 MGD	\$2,500
Major Sewage Facility with CSO	\$5,000

As of the effective date of this permit, the facility covered by the permit is classified in the following fee category: **Minor Sewage Facility ≥ 0.05 and < 1 MGD.**

Invoices for annual fees will be mailed to permittees approximately three months prior to the due date. In the event that an invoice is not received, the permittee is nonetheless responsible for payment. Throughout a five year permit term, permittees will pay four annual fees followed by a permit renewal application fee in the last year of permit coverage. Permittees may contact the DEP at 717-787-6744 with questions related to annual fees.

Payment for annual fees shall be remitted to DEP at the address below by the anniversary date. Checks should be made payable to the Commonwealth of Pennsylvania.

PA Department of Environmental Protection  
Bureau of Point and Non-Point Source Management  
Re: Chapter 92a Annual Fee  
P.O. Box 8466  
Harrisburg, PA 17105-8466

**PART C**

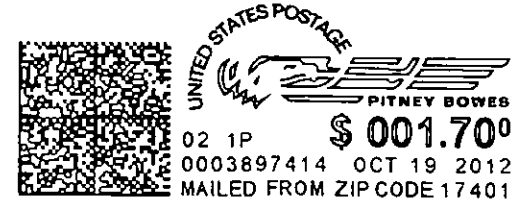
**I. OTHER REQUIREMENTS**

- A. No stormwater from pavements, areaways, roofs, foundation drains or other sources shall be admitted directly to the sanitary sewers associated with the herein approved discharge.
- B. The approval herein given is specifically made contingent upon the permittee acquiring all necessary property rights by easement or otherwise, providing for the satisfactory construction, operation, maintenance and replacement of all sewers or sewerage structures associated with the herein approved discharge in, along, or across private property, with full rights of ingress, egress and regress.
- C. Collected screenings, slurries, sludges, and other solids shall be handled and disposed of in compliance with the Solid Waste Management Act (35 P.S. §§ 6018.101 - 6018.1003), and in a manner equivalent to the requirements indicated in Chapters 271, 273, 275, 283, and 285 (relating to permits and requirements for landfilling, land application, incineration, and storage of sewage sludge), Federal Regulation 40 CFR Parts 501 and 503, The Clean Streams Law, and the Federal Clean Water Act and its amendments.
- D. If, after the issuance of this permit, DEP approves a municipal sewage facilities official plan or an amendment to an official plan under Act 537 (Pennsylvania Sewage Facilities Act, the Act of January 24, 1966, P.L. 1535 as amended) in which sewage from the herein approved facilities will be treated and disposed of at other planned facilities, the permittee shall, upon notification from the municipality or DEP, provide for the conveyance of its sewage to the planned facilities, abandon use and decommission the herein approved facilities including the proper disposal of solids, and notify DEP accordingly. The permittee shall adhere to schedules in the approved official plan, amendments to the plan, or other agreements between the permittee and municipality. This permit shall then, upon notice from DEP, terminate and become null and void and shall be relinquished to DEP.
- E. The permittee shall ensure that applied chlorine, used for disinfection or other purposes, is optimized to the degree necessary to minimize the total residual chlorine in the discharge. In doing so, the permittee shall consider relevant factors affecting chlorine dosage, such as wastewater characteristics, mixing and contact times, and desired result of chlorination.
- F. The permittee shall complete all Supplemental Reporting forms provided by the Department in this permit (or an approved equivalent), and submit the signed, completed forms to the Department on a monthly basis with the DMR, in accordance with Part A III.B of this permit.



## The York Water Company

130 EAST MARKET STREET, BOX 15089  
YORK, PENNSYLVANIA 17405-7089



Rosemary Chiavetta, Secretary  
Pennsylvania P.U.C.  
P O Box 3265  
Harrisburg PA 17105-3265