Application of Pennsylvania-American Water Company for Acquisition of the Wastewater Assets of the Borough of Kane Authority
66 Pa. C.S. § 1329
Application Filing Checklist – Water/Wastewater
Docket No. A-2019-3014248

20. Proof of Compliance - provide proof of compliance with applicable design, construction and operation standards of DEP or of the county health department, or both, including:

d. Valid buyer's certified operators' certificates appropriate to the facilities being acquired.

RESPONSE:

d. See below for a list of certified operators of PAWC and their respective certificate identification numbers who will serve as operators of the System upon the Commission's approval of the application and closing. These operators' certificates are attached to **Appendix A-20-d**.

Operator (Certificate Numbers)	**Class/Subclass**	**Expiration Date**
Jason J. Giordano (Certificate No. S17275)	Class: A, E Wastewater Subclass: 1, 4	June 30, 2021
Todd F. Meserole (Certificate No. T2835)	Class: A, E Wastewater Subclass: 1,2,3,4	June 30, 2021
Philip Lingenfelter (Certificate No. T4090)	Class: A, E Wastewater Subclass: 1,2,3,4	December 31, 2020

Appendix A-20-d

Commonwealth of Pennsylvania

Department of Environmental Protection

In accordance with the
State Board for Certification of Water and Wastewater Systems Operators
and the Regulations of the
Department of Environmental Protection

PHILIP G LINGENFELTER

Is Hereby Authorized to Operate
WASTEWATER SYSTEM

Class: A,E, Wastewater
Subclass: 1,2,3,4

Client ID: 201127

PHILIP G LINGENFELTER
17 HEMLOCK AVE
KANE PA 16735-1612

Issue Date Jan 01, 2018
Expiration Date Dec 31, 2020

Joseph L. Swanderski
Board Chairman

Certificate No. T4090

Commonwealth of Pennsylvania

Department of Environmental Protection

In accordance with the
State Board for Certification of Water and Wastewater Systems Operators
and the Regulations of the
Department of Environmental Protection

TODD F MESEROLE

Is Hereby Authorized to Operate
WASTEWATER SYSTEM

Class: A,E, Wastewater
Subclass: 1,2,3,4

Client ID: 194015

TODD F MESEROLE
111 N TIONESTA AVE
KANE PA 16735-1236

Issue Date Jul 01, 2018
Expiration Date Jun 30, 2021

Certificate No. T2835

Joseph J. Sandovsky
Board Chairman

Commonwealth of Pennsylvania

Department of Environmental Protection

In accordance with the
State Board for Certification of Water and Wastewater Systems Operators
and the Regulations of the
Department of Environmental Protection

JASON J GIORDANO

Is Hereby Authorized to Operate

WASTEWATER SYSTEM

Class: A,E, Wastewater
Subclass: 1,4

Client ID: 293814

JASON J GIORDANO
219 PARK AVE
KANE PA 16735-1228

Issue Date Jul 1, 2018
Expiration Date Jun 30, 2021

Certificate No. S17275

Joseph A. Szumderski
Board Chairman

Application of Pennsylvania-American Water Company for Acquisition of the Wastewater Assets of the Borough of Kane Authority
66 Pa. C.S. § 1329
Application Filing Checklist – Water/Wastewater
Docket No. A-2019-3014248

20. Proof of Compliance - provide proof of compliance with applicable design, construction and operation standards of DEP or of the county health department, or both, including:

e. Provide documentation evidencing a 5-year compliance history with DEP with an explanation of each violation for the seller's utilities that have been providing service as well as provide a copy of any DEP-approved corrective action plans.

RESPONSE:

e. See enclosed letter from Donald E. Payne, Borough of Kane Manager and *ex officio* member of the Authority's Board and corresponding documents attached as **Appendix A-20-e**.

Borough of Kane
112 Bayard Street
Kane, PA 16735

November 25, 2019

The Borough of Kane Authority ("Authority") has had a strong track record of compliance with the applicable design, construction and operations standards of DEP. In the past five years, the Authority has received three Notices of Violation, all of which were timely responded to and corrected.

On February 18, 2015, the Authority received a Notice of Violation for effluent discharge exceedances from December 2013 to December 2014 based on unique circumstances. Each exceedance was explained in an Authority letter dated February 23, 2015 to DEP along with corrective actions. DEP approved the Corrective Action Plan on September 11, 2015 and received DEP Notice of Completion on October 25, 2016.

The Authority also received a Notice of Violation on March 16, 2016 for patterns of effluent discharge at its Pine Street Wastewater Treatment Plant. Explanations of the cause of each effluent violation along with corrective actions are described in the Authority's engineer, KLH Engineers, Inc., letter to DEP dated April 28, 2016.

On June 20, 2017, the Authority received a Notice of Violation in connection with DEP's review of the Authority's 2016 Chapter 94 Reports for both wastewater treatment plants citing certain reporting deficiencies. Both reports were revised to eliminate any deficiencies as outlined in the July 6, 2017 letter to DEP from KLH Engineers, Inc.

Sincerely,

Donald E. Payne

Donald E. Payne

Telephone: (814) 837-9240
Email: lori@kaneboro.com

Fax: (814) 837-6609
Website: kaneboro.org

pennsylvania
DEPARTMENT OF ENVIRONMENTAL PROTECTION

February 18, 2015

NOTICE OF VIOLATION

CERTIFIED MAIL NO. 91 7199 9991 7034 8441 3105

Mr. Dave Peterson
Kane Borough Authority
112 Bayard Street P.O. Box 79
Kane, PA 16735-1377

Re: Sewage-Effluent Violations
Pine Street Sewage Treatment Plant
NPDES Permit No. PA0023167
Kane Borough, McKean County

Dear Mr. Peterson:

Based upon a Department of Environmental Protection ("Department") records review, your Discharge Monitoring Report's (DMRs) submitted pursuant to NPDES Permit No. PA0023167 ("NPDES Permit") indicate a pattern of effluent discharge exceedances. The discharge exceedances are contrary to the effluent limitations set forth in your NPDES Permit and constitute violations of Section 611 of the Clean Streams Law, 35 P.S. §691.611. A summary of the violations is shown in Exhibit A, enclosed for your review.

The aforementioned violations constitute unlawful conduct under Section 611 of the Clean Streams Law, 35 P.S. §691.611, and may subject Kane Borough Authority to civil penalties pursuant to Section 605 of the Clean Streams Law, 35 P.S. §691.605.

Within 30 days from the date of this notice, the Department requests that Kane Borough Authority submit a compliance plan and schedule that outlines what corrective actions you will take to permanently resolve the violations and come into compliance with the NPDES Permit and the Clean Streams Law.

This Notice of Violation is neither an order nor any other final action of the Department. It neither imposes nor waives any enforcement action available to the Department under any of its statutes. If the Department determines that an enforcement action is appropriate, you will be notified of the action.

Northwest Regional Office
230 Chestnut Street | Meadville, PA 16335-3481 | 814.332.6942 | Fax 814.332.6121
www.depweb.state.pa.us

If you have any questions concerning this notice, please contact me at (814)332-6670 or chall@pa.gov.

Sincerely,

Christine M. Hall
Compliance Specialist
Clean Water Program

Enclosure: Exhibit A

cc: Mike Braymer, OCC (via email)
Don Hanna (via email)
Corres. File thru Nagy/Holden/Hall

Exhibit A: Summary of Effluent Discharge Exceedances
(December 2013 through December 2014)

Permit No.	Facility	DMR End Date	Parameter Name	Reported Value	Permit Limit	Units	
PA0023167	PINE STREET STP KANE	12/31/2013	Total Residual Chlorine (TRC)	0.92	0.54	mg/L	Instantaneous Maximum
PA0023167	PINE STREET STP KANE	1/31/2014	Total Residual Chlorine (TRC)	0.64	0.54	mg/L	Instantaneous Maximum
PA0023167	PINE STREET STP KANE	5/31/2014	Fecal Coliform	1120	1000	CFU/100 ml	Instantaneous Maximum
PA0023167	PINE STREET STP KANE	7/31/2014	Dissolved Oxygen	5.5	7	mg/L	Minimum
PA0023167	PINE STREET STP KANE	7/31/2014	Fecal Coliform	2420	1000	CFU/100 ml	Instantaneous Maximum
PA0023167	PINE STREET STP KANE	8/31/2014	Dissolved Oxygen	6.9	7	mg/L	Minimum
PA0023167	PINE STREET STP KANE	8/31/2014	Fecal Coliform	2420	1000	CFU/100 ml	Instantaneous Maximum
PA0023167	PINE STREET STP KANE	9/30/2014	Dissolved Oxygen	6.7	7	mg/L	Minimum
PA0023167	PINE STREET STP KANE	9/30/2014	Fecal Coliform	2420	1000	CFU/100 ml	Instantaneous Maximum
PA0023167	PINE STREET STP KANE	10/31/2014	Dissolved Oxygen	6.8	7	mg/L	Minimum
PA0023167	PINE STREET STP KANE	10/31/2014	Total Copper	0.012	0.007	mg/L	Average Monthly
PA0023167	PINE STREET STP KANE	11/30/2014	Total Copper	0.01	0.007	mg/L	Average Monthly
PA0023167	PINE STREET STP KANE	12/31/2014	Total Copper	0.009	0.007	mg/L	Average Monthly

Borough of
Kane, Pennsylvania
Black Cherry Timber Capital of the World

February 23, 2015

Christine M. Hall
Compliance Specialist
Clean Water Program
Pennsylvania Department of Environmental Protection-Northwest Regional Office
230 Chestnut Street
Meadville, PA 16335-3481

Re: Notice of Violation (Certified Mail No. 91 7199 9991 7034 8441 3105) Dated February 18, 2015

Dear Ms. Hall:

This letter is in response to your letter regarding Sewage-Effluent Violations at Kane Borough's Pine Street Sewage Treatment Plant (NPDES PA0023167). There were 13 violations listed in "Exhibit A: Summary of Effluent Discharge Exceedances". The first two violations listed were for exceeding the Instantaneous Maxim for Total Residual Chlorine. The first exceedance occurred 12/22/13 as the result of extremely high flow and an extended overflow period. As was noted on the Non-Compliance report, the dechlorination system used a whole 55 gallon drum of Sodium Bisulfite in less than 24 hours (an extremely rare situation) leaving the plant without the ability to dechlorinate. As a result, operators made adjustments to the chlorination rate and to the Sodium Bisulfite dechlorination pump rate that should prevent this from happening again. The second exceedance occurred 1/8/14 due to the dechlorination system failing because of weather conditions, namely very cold temperatures. The bisulfite, which should be kept around 60° F to keep it from crystallizing and solidifying, had started to solidify in the drum around the suction line, thus dechlorination was not taking place. As was stated on the Non-Compliance report, the suction line was cleared and placed in another drum of bisulfite, and the temperature was increased in the building to get the system back to normal operation. Currently, operators check the temperature in the building daily to make sure it is warm enough. Also, operators have used small space heaters placed near the drum of bisulfite as needed to keep it from solidifying.

The third, fifth, seventh and ninth violations listed in the exhibit were for exceeding the Instantaneous Maximum for Fecal Coliform on 5/13/14, 7/16/14, 8/12/14, and 9/11/14. A review of the information indicated that all violations occurred when sampling during or just after overflow events or high flow events. Although adjustments were made to the chlorination rate of the overflow chlorination system, it appears that the adjustments were not completely successful. As a result, a different rotameter that can be adjusted more accurately will be installed on the overflow chlorination system. However, because of the buildup of ice and snow in the overflow structure currently, this replacement will take place when the weather breaks and conditions allow the chlorination system to be operated. Kane Borough will notify DEP upon completion of this change.

The forth, sixth, eighth and tenth violations listed in the exhibit were for violating the Minimum Concentration of Dissolved Oxygen on 7/25/14, 8/28/14, 9/11/14 and 10/4/14. Although there were several different contributing factors that resulted in these violations (for example, the 7/25/14 violation occurred during Chlorine Contact Tank & Effluent Water Tank cleaning), the one thing they all had in common was a failure of the Effluent Aeration Pump. A bigger Effluent Aeration Pump was installed in the afternoon of 7/25/14 (the DO reading that failed occurred during the morning of 7/25/14). This bigger pump was doing an adequate job of keeping the DO level above the required minimum; however, this pump had a mechanical failure sometime between the DO readings on 8/27/14 & 8/28/14 when it was found not running, leading to the DO violation on 8/28/14. The violations on 9/11/14 and 10/4/14 were at least partly due to the backup Effluent Aeration Pump, put in service after the violation on 8/28/14, being undersized. Kane Borough has a new Effluent Aeration Pump ready to put in service this spring or early summer when Dissolved Oxygen levels start to go down due to warmer temperatures.

The final three violations listed in the exhibit were violations of the Monthly Average Concentration limit for Total Copper. Please note that, as of the date of this letter, January 2015 DMR's are in the process of being prepared and there will be another violation for the month of January 2015. The borough received an email from DEP 2/9/15 regarding its options to deal with this situation. Currently, the borough is exploring the option of doing a Water Effects Ratio (WER) with its consulting engineers. The engineers have gotten preliminary costs for the borough on performing the WER. Kane Borough will notify DEP when a final decision is made regarding the WER.

If you have any questions or need any additional information, please contact me at the Kane Borough office, 814-837-9240.

Sincerely,

Philip Lingenfelter
WWTP Foreman

Donald E. Payne

Donald Payne
Manager, Borough of Kane

KLH
ENGINEERS, INC

September 3, 2015
Ref. No. 242-02

Mr. Eric Kicher
Water Quality Specialist Supervisor
Clean Water Program
The Pennsylvania Department of Environmental Protection
230 Chestnut Street
Meadville, PA 16335

Annual Chapter 94 Wasteload Management Report
Organic Overload Corrective Action Plan and Schedule
Kane Borough Kina Road WWTP
NPDES Permit # PA0023175

Mr. Kicher,

Please accept this letter and the attached as the Kane Borough Authority's written Corrective Action Plan and Schedule to address the reported organic overload documented in the 2014 Chapter 94 Annual Wasteload Management Report for the Kinzua Road WWTP.

KLH Engineers Inc. prepared the 2014 Chapter 94 Wasteload Management Report for the Kane Borough Authority's Kinzua Road Sewage Treatment Plant. During the preparation of the Ch 94 report we noticed the loading data for the month of August 2014 at the Kinzua Road WWTP exceeded the existing organic design capacity of 2,189 lbs BOD5/day monthly average for the system.

A review of the data for August 2014 identified high BOD5 influent loads on three separate dates. Please see the attached Kinzua WWTP August 2014 Influent Summary and the 2014 Chapter 94 Spreadsheet. The observed concentrations of influent BOD5 on August 4, August 11 and August 13 all exceeded 345 mg/l, with flows exceeding 1.2 MGD. The highest concentration of 493 mg/l observed on August 13, 2014 at an influent flow of 1.301 MGD. It should be noted that on each day that an organic overload condition was indicated during August 2014 the effluent testing indicates the Kinzua WWTP was in compliance with the NPDES Permit limits for CBOD5, TSS and NH3-N. This can be seen on the attached supplemental effluent report form submitted with the August 2014 DMR reports.

A review of these concentrations and the associated lbs/day influent loadings of BOD5 indicate influent BOD5 loadings that are not supportable by the population of Kane Borough. The Kane Borough Authority serves an approximate population of 3,700 persons. The Borough utilizes two wastewater treatment plants to meet their sewage treatment requirements. The plants are of equal size and each serves approximately half of the Borough's population or approximately 1850 persons. Assuming the maximum BOD5 loading per PADEP's wastewater facilities Design Manual (0.22 lbs/day/capita BOD5) was observed at the Kinzua Road STP it would take a population of 24,313 persons to generate the BOD5 loading of 5,349 lbs/day calculated for August 13, 2014. For this reason we began to investigate the sampling procedures and techniques utilized to collect the August 2014 influent samples.

5173 Campbells Run Road Pittsburgh, PA 15205 Phone: 412.494.0510 Fax: 412.494.0426 info@klhengineers.com
www.klhengineers.com

Utilizing the Borough's current population estimates and PADEP Loading criteria estimates for BOD5, the organic loading expected at the Kinzua Road WWTP is:

1,850 persons x 0.22 lbs BOD5/Day/Capita = 407 lbs/day BOD5

It is therefore proposed that the August 2014 calculated BOD5 loading and the tested influent BOD5 concentrations which indicate that an organic overload exists at the Kinzua WWTP are a misrepresentation of the actual influent loadings at the Kinzua WWTP.

Upon receiving the PADEP notice on June 5, 2015 a review of the influent sampling procedures, equipment, and sampling location was undertaken. Problems with the influent sampling were identified during this review. The primary problem identified in the influent sampling was the location of the influent sampler intake tubing. The intake tubing which was originally suspended in the middle of the influent flow stream was found to be on the bottom of the influent trough in a thick layer of septic/anoxic sludge. It was further determined that the sampler was drawing heavy solids not representative of typical domestic sewage suspended solids levels into the sampler causing the addition of BOD5 loading that was neither representative or indicative of the actual influent sewage. This condition was corrected by plant operations and maintenance personnel in mid June 2015. We believe accurate sampling of the influent sewage flow moving forward will be more representative of actual influent BOD and TSS loadings and that these numbers will be more in line with realistic guidelines and planning estimates. I have attached the supplemental influent and process control reports for the Kinzua WWTP for the months of June 2014 and July 2014. Both months indicate much more realistic concentrations for BOD5 after the sampler intake tubing was corrected. The concentration monthly averages for BOD5 for June 2015 and July 2015 were measured as 207 mg/l and 230 mg/l respectively.

To comply with PADEP rules regarding reported organic overloads, we are proposing to eliminate all new connections to the sanitary sewer system of the Kinzua WWTP for 2015, and continue to closely monitor the WWTP influent sampling and the associated BOD5 and TSS concentrations and loadings for 2015. We believe with proper influent sampling that the perceived Organic Overload will be determined to be a result of misrepresentative influent samples. We expect the WWTP to be in full compliance with the requirements of Chapter 94 both hydraulically and organically for the remainder of 2015

If the WWTP does not experience an organic overload during the remainder of 2015 and the WWTP is in full compliance with the discharge limitations of the NPDES Permit then the Borough will submit to the PADEP for removal of the imposed tap restriction at the Kinzua WWTP.

If there is an organic overload during the remainder of 2015 that results in effluent violations, the Borough will move to complete system improvements in order to expand the treatment capacity of the WWTP to eliminate the organic overload condition.

Your letter also asked to identify any specific maintenance and I&I projects that were completed during 2014 for the Kinzua WWTP system. There were no specific non-routine maintenance items or I&I projects completed during 2014.

I have attached for your review the Borough's Sewer Use Ordinance (pertaining to industrial waste) as requested. The full Sewer Use Ordinance as well as the Boroughs Rules and Regulations for sewer service are available on the Boroughs website: www.kaneboro.org .

I hope this Corrective Action Plan and the supporting documentation meets with the Departments approval.

If you have any questions please feel free to contact me directly at (412)-494-0510, extension 116.

Sincerely,

KLH ENGINEERS, INC.

Michael C. Sherrieb

Encls.

Cc: Christine Nagy, PADEP Compliance Section, w/ enclosures
Don Payne, Manager, Kane Borough, w/ enclosures
Phil Lingenfelter, Chief Operator, Kane Borough, w/ enclosures
Craig J. Bauer, P.E. KLH Engineers, Inc., w/o enclosures

Kinzua WWTP August 2014 Influent Summary:

	Flow MGD	TSS (mg/l)	TSS (lb/day)	BOD5 (mg/l)	BOD5 (lb/day)
8/4/2014	1.245	708	7351.38	367	3810.67
8/6/2014	0.889	204	1512.51	166	1230.77
8/11/2014	1.409	620	7285.66	347	4077.62
8/13/2014	1.301	258	2799.39	493	5349.22
8/18/2014	0.642	320	1713.37	286	1531.32
8/20/2014	0.558	316	1470.58	325	1512.46
8/25/2014	0.477	404	1607.18	213	847.35
8/27/2014	0.499	500	2080.83	110	457.78
Avg.		**416.25**	**3227.61**	**288.38**	**2352.15**

pennsylvania
DEPARTMENT OF ENVIRONMENTAL PROTECTION

PADEP Chapter 94 Spreadsheet
Sewage Treatment Plant

Facility Name: Kinzua Road Wastewater Treatment Plant

Permit No.: PA0023175

Reporting Year: 2014

Persons/EDU: 3.5

Existing Hydraulic Design Capacity: 1.5 MGD
Upgrade Planned in Next 5 Years? Year: 2014
Future Hydraulic Design Capacity: MGD

Existing Organic Design Capacity: 2,189 lbs BOD5/day
Upgrade Planned in Next 5 Years? Year: 2014
Future Organic Design Capacity: lbs BOD5/day

Monthly Average Flows for Past Five Years (MGD)

Month	2010	2011	2012	2013	2014
January	0.632	0.47081	0.778	0.69755	0.86
February	0.328	0.64244	0.515	0.44271	0.42
March	0.646	1.251	0.618	0.62184	0.69
April	0.381	1.3806	0.344	0.739	0.87
May	0.443	0.94794	0.568	0.46319	0.86
June	0.367	0.43407	0.374	0.61417	0.79
July	0.396	0.286	0.344	0.459	0.56
August	0.379	0.42745	0.374	0.41761	0.8
September	0.359	0.46863	0.367	0.37467	0.42
October	0.458	0.74342	0.45	0.44945	0.49
November	0.663	0.62127	0.411	0.60657	0.52
December	0.665	0.69339	0.736	0.74661	0.68
Annual Avg	0.476	0.6972505	0.49	0.5526977	0.65
Max 3-Mo Avg	0.595	1.19317849	0.698	0.62542089	0.84
Max : Avg Ratio	1.25	1.71	1.42	1.13	1.29
Existing EDUs	1,225.0	1,225.0	1,233.0	1,233.0	1,233.0
Flow/EDU (GPD)	388.6	569.2	397.4	448.3	527.2
Flow/Capita (GPD)	111.0	162.6	113.5	128.1	150.6
Exist. Overload?	NO	NO	NO	NO	NO

Monthly Average BOD5 Loads for Past Five Years (lbs/day)

Month	2010	2011	2012	2013	2014
January	880	715	939	1,287	1,030
February	709	896	1,383	776	941
March	1,039	632	1,327	1,137	1,767
April	623	909	804	673	1,900
May	701	909	999	687	1,334
June	952	730	1,069	1,040	1,017
July	1,170	954	1,196	1,687	1,392
August	995	903	1,131	1,597	2,354
September	1,126	1,125	1,070	2,147	985
October	1,394	1,663	1,122	2,199	1,128
November	1,183	1,110	1,366	1,442	1,412
December	1,054	902	1,653	1,345	1,463
Annual Avg	986	954	1,171	1,335	1,394
Max Mo Avg	1,394	1,663	1,653	2,199	2,354
Max : Avg Ratio	1.41	1.74	1.41	1.65	1.69
Existing EDUs	1,225	1,225	1,233	1,233	1,233
Load/EDU	0.804	0.779	0.950	1.083	1.130
Load/Capita	0.230	0.222	0.271	0.309	0.323
Exist. Overload?	NO	NO	NO	YES	YES

Projected Flows for Next Five Years (MGD)

	2015	2016	2017	2018	2019
New EDUs	10.0	10.0	10.0	10.0	10.0
New EDU Flow	0.0047	0.0047	0.0047	0.0047	0.0047
Proj. Annual Avg	0.57789	0.58259	0.58729	0.59199	0.59669
Proj. Max 3-Mo Avg	0.78704	0.79344	0.79985	0.80625	0.81265
Proj. Overload?	NO	NO	NO	NO	NO

Projected BOD5 Loads for Next Five Years (lbs/day)

	2015	2016	2017	2018	2019
New EDUs	10	10	10	10	10
New EDU Load	9.492	9.492	9.492	9.492	9.492
Proj. Annual Avg	1,177	1,187	1,196	1,206	1,215
Proj. Max Avg	1,861	1,876	1,891	1,906	1,921
Proj. Overload?	NO	NO	NO	NO	NO

Show Precipitation Data on Hydraulic Graph?

Total Monthly Precipitation for Past Five Years (Inches)

Month	2010	2011	2012	2013	2014
January					
February					
March					
April					
May					
June					
July					
August					
September					
October					
November					
December					

pennsylvania
DEPARTMENT OF ENVIRONMENTAL PROTECTION

3800-FM-BPNPSM0435 3/2012

SUPPLEMENTAL REPORT
DAILY EFFLUENT MONITORING

Facility Name: Kinzua Road WWTP-Kane Borough
Municipality: Wetmore TWP
County: McKean
Watershed: 16-B
Laboratories: Mt. Research, In-House

Month: 8 (select number)
Year: 2014
Permit No.: PA0023175
Outfall: 001
Renewal application due 180 days prior to expiration.
This permit will expire on: March 31, 2015

	Parameter		Flow		Fecal Coliform		CBOD5		TSS		NH3-N		pH		Dissolved Oxygen		TRC	
	Stage		1		1		1		1		1		1		1		1	
Week	Day	Date	MGD	Q	CFU/100 ml	Q	mg/L	Q	mg/L	Q	mg/L	Q	S.U.	Q	mg/L	Q	mg/L	
	Fri	8/1/14	0.466										6.95		7.59		0.02	
	Sat	8/2/14	1.568										7.03		7.78		0.02	
1	Sun	8/3/14	1.779										6.78		8.21		0.04	
	Mon	8/4/14	1.245			<	2.4		4.0	<	0.5		6.68		7.5		0.02	
	Tue	8/5/14	1.016		688.0								6.71		8.1		0.02	
	Wed	8/6/14	0.889			<	2.0		3.0	<	0.5		6.74		7.98		0.05	
	Thu	8/7/14	0.755		199.0								6.6		6.75	<	0.02	
	Fri	8/8/14	0.707										6.63		6.83		0.02	
	Sat	8/9/14	0.594										6.7		7.22		0.03	
2	Sun	8/10/14	0.566										6.54		6.42		0.04	
	Mon	8/11/14	1.409				2.0		2.67	<	0.5		6.66		6.31	<	0.02	
	Tue	8/12/14	1.975		291.0								6.51		8.61		0.02	
	Wed	8/13/14	1.301				3.0	<	2.0	<	0.5		6.67		7.03	<	0.02	
	Thu	8/14/14	0.893		1733.0								6.67		7.45	<	0.02	
	Fri	8/15/14	0.739										6.61		7.19		0.02	
	Sat	8/16/14	0.775										6.61		6.8	<	0.02	
3	Sun	8/17/14	0.667										6.56		7.27	<	0.02	
	Mon	8/18/14	0.642				8.0		2.67	<	0.5		6.59		6.81	<	0.02	
	Tue	8/19/14	0.588		308.0								6.55		8.11		0.02	
	Wed	8/20/14	0.558				10.0	<	2.0	<	0.5		6.63		6.48		0.03	
	Thu	8/21/14	0.581		57.0								6.81		6.55		0.02	
	Fri	8/22/14	0.561										6.74		8.62		0.02	
	Sat	8/23/14	0.523										6.79		7.2		0.03	
4	Sun	8/24/14	0.482										6.86		7.6		0.03	
	Mon	8/25/14	0.477				6.1		3.33	<	0.5		6.68		7.83		0.02	
	Tue	8/26/14	0.468		328.0								6.78		7.43		0.02	
	Wed	8/27/14	0.499				9.0	<	2.0	<	0.5		6.77		7.02		0.02	
	Thu	8/28/14	0.477		150.0								6.89		7.5		0.03	
	Fri	8/29/14	0.35										6.92		8.08		0.04	
	Sat	8/30/14	0.433										6.72		6.0	<	0.02	
5	Sun	8/31/14	0.653										6.89		7.03		0.03	
Statistics for DMR																		
Daily Minimum (Conc.)					57	<	2	<	2	<	0.5		6.51		6	<	0.02	
Daily Maximum (Conc.)					1733		10		4	<	0.5		7.03		8.62		0.05	
Max Avg Weekly (Conc.)							9		3.5	<	0.5				7.48	<	0.03	
Avg Monthly (Conc.)						<	5	<	3	<	0.5				7.2	<	0.02	
Geometric Mean (Conc.)					296													
Max Avg Weekly (Load)	1.094						45		32	<	8				64	<	0.2	
Avg Monthly (Load)	0.795			<	31	<	20	<	4						48	<	0.2	
Total Monthly (Load)	24.656			<	957	<	626	<	113						1484	<	5	
Daily Minimum (Load)	0.35			<	15	<	8	<	2						22	<	0.07	
Daily Maximum (Load)	1.975				47		42	<	6						122		0.6	

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 who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate 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 18 Pa. C.S. § 4904 (relating to unsworn falsification).

Prepared By: Philip Lingenfelter
Title: WWTP Foreman
License No.: T 4090
Date: 9/18/2014

Average Weekly Statistics										
Week 1 (Conc.)		<	2.2		3.5	<	0.5	7.48	<	0.03
Week 2 (Conc.)			2.5	<	2.34	<	0.5	8.83	<	0.02
Week 3 (Conc.)			9	<	2.34	<	0.5	7.01	<	0.02
Week 4 (Conc.)			7.6	<	2.67	<	0.5	7.35	<	0.03
Week 5 (Conc.)										
Week 1 (Load)	0.998	<	18.9		31.89	<	4.4	63.5	<	0.2
Week 2 (Load)	1.094		28	<	26.54	<	5.7	61.9	<	0.2
Week 3 (Load)	0.591		44.7	<	11.8	<	2.5	34.5	<	0.1
Week 4 (Load)	0.455		30.9	<	10.79	<	2	27.9	<	0.1
Week 5 (Load)										

pennsylvania
DEPARTMENT OF ENVIRONMENTAL PROTECTION

SUPPLEMENTAL REPORT - INFLUENT & PROCESS CONTROL

3800-FM-BPNPSM0436 3/2012

Facility Name: **Kane Borough Kinzua Road WWTP**
Municipality: **Wetmore Twp** County: **McKean**
Watershed: **16-B**

Month: **June** Year: **2015**
NPDES Permit No.: **PA0023175**
Renewal application due **180 days** prior to expiration.
This permit will expire on: **March 31, 2015**

	Influent					Process Control				
Day	Flow (MGD)	BOD_5 (mg/l)	BOD_5 (lbs)	TSS (mg/l)	TSS (lbs)	Aeration MLSS (mg/l)	Aeration DO (mg/l)	Sludge Wasted (gallons)		
1	0.477	246.0	979	390.0	1,551					
2	0.401									
3	0.386	156.0	502	354.0	1,140					
4	0.387									
5	0.464									
6	0.41									
7	0.362									
8	0.543	226.0	1,023	464.0	2,101					
9	0.869									
10	0.572	218.0	1,040	230.0	1,097					
11	0.332									
12	0.54									
13	0.407									
14	0.975									
15	0.504	100.0	420	212.0	891					
16	1.031									
17	0.561	171.0	800	316.0	1,478					
18	0.606									
19	0.658									
20	0.653									
21	0.471									
22	0.763	325.0	2,068	552.0	3,513					
23	0.756									
24	0.579	224.0	1,082	287.0	1,386					
25	0.499									
26	0.477									
27	1.164									
28	0.884									
29	0.874	242.0	1,764	444.0	3,236					
30	0.881	162.0	1,190	240.0	1,763					
31										
Avg	**0.616**	**207**	**1,087**	**349**	**1,816**					
Max	**1.164**	**325**	**2,068**	**552**	**3,513**					

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 who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate 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 unsworn falsification).

Prepared By: _____ License No.: _____
Title: _____ Date: _____

pennsylvania
DEPARTMENT OF ENVIRONMENTAL PROTECTION

SUPPLEMENTAL REPORT - INFLUENT & PROCESS CONTROL

3800-FM-BPNPSM0436 3/2012

Facility Name: Kane Borough Kinzua Road WWTP
Municipality: Wetmore Twp County: McKean
Watershed: 16-B

Month: July Year: 2015
NPDES Permit No.: PA0023175
Renewal application due 180 days prior to expiration.
This permit will expire on: March 31, 2015

	Influent					Process Control				
Day	Flow (MGD)	BOD_5 (mg/l)	BOD_5 (lbs)	TSS (mg/l)	TSS (lbs)	Aeration MLSS (mg/l)	Aeration DO (mg/l)	Sludge Wasted (gallons)		
1	0.838									
2	0.629									
3	0.69									
4	0.654									
5	0.565									
6	0.596	271.0	1,347	376.0	1,869					
7	1.196									
8	0.693	145.0	838	421.0	2,433					
9	0.749									
10	0.7									
11	0.644									
12	0.608									
13	0.672	298.0	1,670	501.0	2,808					
14	1.151									
15	0.83	77.0	533	122.0	845					
16	0.593									
17	0.638									
18	0.628									
19	0.604									
20	0.61	210.0	1,068	274.0	1,394					
21	0.562									
22	0.483	134.0	540	278.0	1,120					
23	0.464									
24	0.5									
25	0.463									
26	0.538									
27	0.41	333.0	1,139	482.0	1,648					
28	0.467									
29	0.581	374.0	1,812	1,010.0	4,894					
30	0.47									
31	0.523									
Avg	**0.637**	**230**	**1,118**	**433**	**2,126**					
Max	**1.196**	**374**	**1,812**	**1,010**	**4,894**					

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 who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate 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 unsworn falsification).

Prepared By: _____ License No.: _____
Title: _____ Date: _____

Article III: Industrial Waste Rules and Regulations

[Adopted 1-9-1989 by Ord. No. A-869]

§ 205-15 Definitions.

A. As used in this article, the following terms shall have the meanings indicated:

ABNORMAL WASTES

Any waste having a suspended solids content or BOD in excess of that normally found in municipal sewage. For the purpose of this article, a waste containing more than 250 mg/l of suspended solids, or having a BOD in excess of 250 mg/l, shall be considered abnormal waste.

ACT or THE ACT

The Federal Water Pollution Control Act, also known as the "Clean Water Act," as amended.

AUTHORIZED REPRESENTATIVE OF INDUSTRIAL USER

An authorized representative of industrial user may be:

(1) A principal executive officer of at least the level of vice president if the industrial user is a corporation;

(2) A general partner or proprietor if the industrial user is a partnership or proprietorship, respectively; or

(3) A duly authorized representative of the individual designated above if such representative is responsible for the overall operation of the facilities from which the discharge originates.

BIOCHEMICAL OXIDATION DEMAND (BOD)

The quantity of the oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure after five days at 20° C., expressed in milligrams per liter (mg/l).

BOROUGH

The Borough of Kane, County of McKean, Kane, Pennsylvania.

BOROUGH ENGINEER

The firm of Hill Engineering, Inc., of North East Pennsylvania, or such other engineering firm or engineer as may at the time be duly appointed by the borough.

BUILDING SEWER

The private sewer between a point five feet outside the exterior wall of an occupied building and the service tap provided at the public sanitary sewer and all private extensions thereof.

CATEGORICAL STANDARDS or NATIONAL CATEGORICAL PRETREATMENT STANDARDS

Any regulation containing pollutant discharge limits promulgated by the EPA in accordance with § 307(b) and (c) of the Act which applies to a specific category of industrial users.

CONTAMINATE

To change the characteristics of the waste to the extent that normal POTW effluent, sludge, and/or gaseous emissions qualities are no longer acceptable for discharge or cause interference with normal POTW processes or performance.

COUNCIL

The Borough Council of the Borough of Kane.

DISCHARGE

The introduction of nondomestic pollutants from any source into the POTW.

ENVIRONMENTAL PROTECTION AGENCY (EPA)

The U.S. Environmental Protection Agency, or, where appropriate, the term may also be used as a designation for the administrator of said agency.

EQUALIZATION

The on-site storage of wastewaters and the controlled rate of discharge of the same to the public system.

GARBAGE

Solid wastes from the preparation, cooking, and dispensing of food and from the handling, storage, and sale of produce.

INDUSTRIAL USER

A source of discharge to the POTW.

INDUSTRIAL WASTE

The liquid waste streams from industrial manufacturing, trade, or commercial business processes as distinct from sanitary sewage.

INTERFERENCE

The inhibition or disruption of the POTW treatment processes or operations which causes or significantly contributes to a violation of a requirement of the borough's NPDES permit (including an increase in the magnitude or duration of a violation). The term includes prevention of sewage sludge use or disposal by the POTW in accordance with § 450 of the Act, or any criteria, guidelines, or regulations developed pursuant to the Solid Waste Disposal Act (SWDA), the Clean Air Act, the Toxic Substances Control Act, or more stringent state criteria applicable to the method of disposal or use employed by the POTW.

MANAGER

The chief administrative officer of the borough responsible for local administration of Council regulations.

NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM or NPDES PERMIT

A permit issued pursuant to § 402 of the Act.

OCCUPIED BUILDING

Any structure erected and intended for continuous or intermittent habitation, occupancy or use by human beings or animals and from which structure, as a result of such occupancy, sanitary sewage and/or industrial wastes may be discharged.

PERMIT

Any contract or agreement between the borough and the user of the POTW which establishes allowable limits and source specific regulations developed from the general requirements defined herein.

PERSON

Any individual, partnership, copartnership, firm, company, corporation, association, or their legal representatives, agents or assigns. The masculine gender shall include the feminine and the singular shall include the plural where indicated by the context.

pH

The logarithm (base 10) of the reciprocal of the concentration of hydrogen ions expressed in equivalent moles per liter of solution.

POLLUTANT

Any dredged spoil, solid waste, incinerator residue, garbage, sewage sludge, chemical wastes, biological materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial, municipal and agricultural waste discharged to the POTW.

POLLUTION

The man-made or man-induced alteration of the chemical, physical, biological, and radiological integrity of water.

POTW PRETREATMENT PROGRAM

That program described in the U.S. Environmental Protection Agency's General Pretreatment Regulations (40 CFR 403).

PRETREATMENT or TREATMENT

The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to discharging to the POTW.

PUBLICLY OWNED TREATMENT WORKS (POTW)

A treatment works as defined by § 212 of the Act, which is owned and/or operated by the borough. This definition includes any publicly owned sewers that convey wastewater to the POTW treatment plant, but does not include pipes, sewers or other conveyances not connected to the facility providing treatment. For the purposes of this article, "POTW" shall also include publicly owned sewers that convey wastewaters to the POTW from persons outside the Borough of Kane who are by contract, or agreement, users of the POTW.

SLUG

Any discharge of water, sewage, industrial waste, or combination thereof, which in concentration of any given constituent or quantity of flow exceeds, for any period of duration longer than 15 minutes, more than five times the average strength or flow rate during normal operations.

STANDARD INDUSTRIAL CLASSIFICATION (SIC)

A classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget 1972.

STATE

Commonwealth of Pennsylvania.

STORMWATER

Any flow occurring during or following any form of natural precipitation and resulting therefrom.

SUSPENDED SOLIDS

The suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquids, and which is removable by laboratory filtering according to standard approved methods.

UPSET

An exceptional incident in which a user unintentionally and temporarily is in a state of noncompliance with the standards set forth hereto due to factors beyond the reasonable control of the user, and excluding noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation thereof.

USER

Any person who contributes, causes or permits the contribution of wastewater into the borough's POTW.

WASTEWATER

The liquid and water-carried industrial or domestic wastes from dwellings, commercial buildings, industrial facilities, and institutions, together with any groundwater, surface water and stormwater which is permitted to enter the POTW.

WATERS OF THE STATE

All streams, lakes, ponds, marshes, watercourses, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the state or any portion thereof.

TOWNSHIP

The Township of Wetmore, Pennsylvania, agencies thereof or other municipal jurisdictions on a regional basis who utilize public sewer/treatment facilities of the borough, now or in the future, are required to adopt, administer and enforce general sewer use regulations and industrial waste regulations comparable to those now or hereinafter in effect in the borough.

B. Shall is mandatory; may is permissive.

§ 205-16 Industrial user requirements.

A. Application. Subject to the availability of reserve POTW capacities for industrial waste use, proposals to discharge industrial wastes to the public sewers at Kane shall be reviewed pursuant to the provisions of these industrial waste rules and regulations hereinafter referred to as the "regulation." The potential benefits of treating certain compatible industrial wastes in combination with domestic wastes are well documented. The borough's public sewer system customer base is primarily residential, however, and no industrial wastes are to be discharged to the public sewers on and after the effective date of this regulation without due process. Such processes and procedures prerequisite to discharge of any industrial waste or abnormal waste, as distinct, involve service of written notice of request to discharge to the POTW by the industrial user to the borough. On receipt of such written notice, the borough shall advise the authorized representative of the industrial user of data required to facilitate municipal review of the potential to receive such industrial wastes with or without pretreatment and/or equalization by the industrial user and the impacts to result therefrom. All such data required by the borough including, but not necessarily limited to, Standard Industrial Classification (SIC), description of the process(es) producing the industrial waste, quantification of the volume of wastes involved, and independent laboratory analyses to confirm quantitative chemical composition of the industrial waste stream, shall be acquired by and at the sole expense of the industry proposing to discharge and filed with subsequent application for permit to discharge.

(1) On and after the effective date of this regulation, a special industrial waste discharge permit is required for all industrial establishments discharging or proposing to discharge industrial process wastewaters to the public sanitary sewer system. No industrial waste may be discharged to the public sewer system unless an industrial waste discharge permit has been duly issued by the borough. Specifically, no industrial establishment shall discharge industrial wastes to the public system of sanitary sewers until written application for a permit to discharge industrial wastes has been filed with and duly approved by the Borough Council and permit/conditional discharge agreement has been issued and duly executed between the borough and the industrial user's authorized representative.

(2) Applications for an industrial waste discharge permit shall be in typewritten form and shall contain the following information as a minimum:

(a) Name of owner.

(b) Name and address of industrial facility producing the wastes and SIC designation(s).

(c) Description of process(es) producing the waste stream.

(d) Plot plan to scaled dimensions showing on-site plumbing in relation to process facilities and proposed connection to public sanitary sewer system.

(e) Volume, constituents, and chemical characteristics of the proposed waste including average daily volume and peak rates of flow to the public system. All wastewater characteristics shall be established by independent laboratory analyses conducted in accordance with Standard Methods procedures.

(f) Detailed plan and mode of operation to be employed to prevent accidental spills or discharge of prohibited materials including elimination of or protection of potential entry points under a Preparedness, Prevention and Contingency (PPC) Plan to be adopted, implemented and practiced by the industry.

(3) To expedite permit review/approval, industrial users are encouraged to coordinate development of application data with the borough's consulting engineers. Upon review of the application, the borough may request additional information or approve or disapprove the application. All borough decisions will be forwarded to the applicant in writing. Where borough refusal of permit request is indicated, an explanation of the conditions leading to such decision will be given the applicant, as well as an opportunity for the applicant to file additional data for borough review and/or to request a hearing before the Borough Council, provided that written request for a hearing is filed by the applicant/industry within 30 days of the date of decision notice as issued by the borough. Any disagreements between the borough and any industrial user which cannot be resolved locally to the satisfaction of either party may be referred to the Pennsylvania Department of Environmental Resources for review.

(4)

Upon receipt of adequate waste stream documentation, the borough, with the advice of its consulting engineers, shall notify the industrial establishment of borough decision to:

(a) Reject the waste discharge.

(b) Conditionally allow the waste discharge as proposed.

(c) Conditionally allow the waste discharge subject to on-site rate of flow control (equalization), monitoring, and/or pretreatment by and at the industrial user's expense.

(5) Borough Council decisions to approve any application for industrial waste discharge(s) are directly dependent on numerous factors, including but not necessarily limited to reliable, comprehensive, and timely documentation of waste characteristics by the industrial purveyor; determinations by the borough that such wastes, with or without pretreatment and/or flow equalization, are amenable to treatment in combination with domestic wastes at the receiving POTW; that adequate surplus capacities are available in the public sanitary sewer system or that the permittee will pay the capital value of required POTW additions; and that the waste purveyor is a reliable entity prepared to acquire on-site monitoring or other facilities at its expense and pay its fair share of public sewer system operating and maintenance costs. Additionally, wastes or establishments falling within categorical standards as now or hereinafter promulgated by the U.S. Environmental Protection Agency under 40 CFR 403 or statewide pretreatment regulations as may be developed by the State of Pennsylvania will require the purveyor of the proposed industrial waste to comply with all such federal/state regulations and procedures prior to discharge to the borough's public sanitary sewer system. Compliance with such federal/state regulations will be viewed as a prerequisite to borough action to authorize any industrial waste discharge from establishments subject to categorical pretreatment standards. All such compliance actions including, but not necessarily limited to, baseline reports, schedule development, design and construction of pretreatment facilities, etc., will be accomplished by and at the sole expense of the industry and without cost or obligation whatsoever unto the borough.

B. Authorization. In any instance where the borough allows an industrial waste discharge, such authorization for discharge will be issued in the form of a conditional discharge agreement drawn by the borough with the advice of its solicitor and consulting engineers and executed by the purveyor of the industrial waste and the borough. The conditional aspect of any such industrial waste discharge agreement(s) shall reserve solely unto the borough the right to terminate the offering of public sewer service to the industrial establishment at any time upon determination of just cause and with reasonable advance notice of intent to terminate.

(1) By such agreement(s), the industrial discharger shall assume the full burden and responsibility of and pay all costs related to acquisition of regulatory agency support approvals, on-site pretreatment and/or flow monitoring/regulating (equalization) facilities, independent laboratory sampling, testing, and analyses services, source composite sampling/testing equipment and systems, Preparedness, Prevention and Contingency (PPC) Plan development and administration, and related features or facilities as may be required by the borough or any state/federal agency of jurisdiction. In addition, but not necessarily limited hereto, agreement(s) for conditional discharge of industrial wastes shall set sewer service charges and may impose special capital contribution levies to be paid by the industrial user. Special capital contribution levies, if any, against industrial establishments connecting after the effective date of this regulation shall, subject to final determination by the borough, be equivalent to the proportional principal amount of debt redemption prepaid by the borough on the POTW capacity component to be now obligated to and assumed by the industrial discharger, such proportional factor to be the ratio of industry obligated flow and/or organic capacity to the total design flow/organic capacities of the receiving POTW. Sewer service charges will, in consideration of industrial waste volumes and strengths, be set so as to adequately compensate the borough for the industrial waste stream specific service rendered to the industrial discharger in proportion to sewer service charges then or thereafter in effect for domestic customers on the borough's public sewer system. Capital contribution levies, if any, are payable in full to the borough by the industrial user on or before the date of first discharge to POTW pursuant to discharge agreement terms, while industrial user charges are payable in accordance with terms of billing and collecting in effect for all customers. The industrial discharger shall own, operate, maintain, and pay all costs relating to on-site facilities including pretreatment systems as required. In addition, the industrial discharger shall be assessed and required to pay the capital costs of expanded POTW facilities or special process equipment/systems to the extent that the same are required in order to provide capacity and capability within the POTW to accommodate and treat the proposed industrial waste stream.

(2) Industrial waste permits/agreements will be issued conditionally for a two-year period subject to rights of cancellation unto the borough at any time upon 10 days' advance notice of noncompliance with permit limitations and/or conditions, and further subject to revision or modification of permit terms or conditions at the borough's option where required to reasonably protect the waters of the state.

(3) Under any notification of noncompliance, the borough may require immediate cessation of the industrial waste discharge or portions thereof determined to be in violation, and/or the borough may require the industry to submit a schedule for achievement of compliance including steps or modifications to be taken to prevent recurrence. Under conditions of noncompliance, continuance of discharge on a temporary basis would be allowed by the borough only if the Industry is actively pursuing and making reasonable progress towards full compliance achievement. Any borough notices hereunder shall be filed in writing and the industrial establishment shall have 10 days from date of personal service of such notice(s) to respond to the noted conditions of noncompliance. Where industrial response is not received, public sewer service shall be terminated.

(4) Industrial waste permits/agreements, if issued by the Borough Council, shall detail the requirements for on-site monitoring, allowable flow/strength limitations, source pretreatment and/or flow equalization prior to discharge to the public system of sanitary sewers, procedures for notification and compliance, permit term and procedures for renewal/revocation, and penalties for noncompliance. Any permit so issued shall not be assigned, transferred, or sold without the concurrence of the Borough Council. Each industrial discharger is required to file for a permit modification prior to altering the waste discharge characteristics or exceeding limitation imposed by permit of record.

(5) In addition, permits/agreements with industries shall stipulate the specific amount of treatment plant hydraulic and organic capacity allocated to the specific industrial waste source. Each permit shall also require industrial establishment notification of the borough immediately upon the accidental upset, spill, or discharge of wastes in violation of permit or document limitations. The initial notice of noncompliance shall be followed within 10 days of the date of occurrence by a detailed written industry statement describing the cause(s) and measures being taken to prevent recurrence. Such notifications shall not, however, relieve the industrial account from full responsibility for all damages or claims of any kind arising out of such noncompliance. All industrial establishments shall conspicuously post throughout their plant facilities notices advising employees of those persons and/or agencies to contact in case of accidental discharge in violation of this document or industrial waste discharge permits or agreements, as applicable.

C. Maintenance. Where pretreatment, flow equalization, composite sampling, and/or flow metering facilities are required by the borough in conjunction with granting of a permit for any industrial waste stream, they shall be acquired, operated, and maintained continuously in satisfactory and effective working order by and at the sole expense of the owner of the industrial premises served.

D. Control structure. The owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole or structure together with such necessary meters and other appurtenances in the building sewer as will be required by the borough to facilitate observation, composite sampling, and flow measurement of wastes. Such control structure and metering facilities shall be accessible and safely located, and shall be constructed in accordance with plans approved by the Borough Engineer. The control structure and metering facilities shall be installed by the industrial user at his expense, and shall be maintained by him so as to be safe, accessible, and in good operating condition at all times.

E. Violation. On and after the effective date of this regulation, the discharge of industrial waste to the public sanitary sewer system without a borough-issued permit/agreement authorizing the same and state/federal regulatory agency approvals, as applicable, shall constitute a violation hereof. Any such violation shall be processed for remedy pursuant to the provisions hereof and penalty/damage assessments as stipulated herein. Existing industrial establishments now connected to the public sewer system and discharging untreated wastes without having in place an agreement with the borough to do so shall within 90 days of the effective date of this article file a written request to discharge with the borough, including all support documentation required by the provisions of this regulation.

§ 205-17 General discharge prohibitions.

A. Quantities. No user shall discharge or cause to be discharged any pollutant or wastewater in such quantities which will interfere with the operations and performance of the POTW. These general prohibitions apply to all users of the POTW whether or not the user is subject to National Categorical Pretreatment Standards.

B. Waters not to be discharged to POTW. A user shall not discharge any of the following described waters or wastes to the POTW:

(1) Any unpolluted stormwater, surface water, groundwater, roof runoff, drainage, uncontaminated cooling water, or other unpolluted industrial process waters.

(2) Any liquids, solids, or gases which by reason of their nature or quantity are or may be sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the POTW or the processes of the POTW.

(3) Any gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, undistilled alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides, sulfides, and any other substances which the borough, the state, or the EPA has notified the user is a flammable and/or explosive liquid, solid, or gas fire hazard to the POTW.

(4) Any waters or wastes containing toxic or poisonous solids, liquids, or gaseous pollutants in sufficient quantity, either singly or by interaction with other pollutant wastes, to: significantly impair or interfere with any wastewater treatment process; constitute a hazard to humans or animals; create a public nuisance, toxic effect, or hazard in the receiving waters of the sewage treatment plant; exceed a specified pollutant limitation in the wastes as discharged to the public sewer; exceed a limitation set forth in Categorical Pretreatment Standards; or be classified as a hazardous waste (unless approved by contract).

(5) Any waters or wastes having a pH lower than 6.0 or higher than 9.0 or displaying any other corrosive property capable of causing damage or hazard to structures, equipment and/or personnel of the plant.

(6) Any water or wastes at a flow rate and/or pollutant level which is excessive over relatively short periods or classified as a slug load, which are sufficient in the opinion of the borough with advice of its consulting engineers to cause hydraulic overload, interference and/or loss of treatment efficiency in the POTW.

(7) Solid or viscous substances capable of impairing the hydraulic capacity of the sewer system, or causing interference with the proper operation of the POTW, such as, but not limited to: grease, garbage with particles greater than 1/2 inch in any dimension, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, wood, unground garbage, whole blood, paunch manure, hair and fleshing, animal entrails or tissues, paper dishes, cups, milk containers, plastics, inert materials, garden refuse, spent lime, grass clippings, asphalt residues, and polishing wastes.

(8) Any noxious or malodorous liquids, gases, or solids which either singly or by interactions with other wastes are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into the public sewers for normal maintenance and repair purposes.

(9) Any substances which may cause the POTW effluent or any other product of the POTW, such as residues, sludges, or scums, to be unsuitable for reclamation and reuse, or to detrimentally affect solids processing or interfere with the reclamation process where the POTW is pursuing a reuse and reclamation program. In no case shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or disposal criteria, guidelines, or regulations developed under Section 405 of the Act and criteria, guidelines, or regulations affecting sludge use or disposal development pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or state criteria applicable to the sludge management methods being utilized or implemented.

(10) Any liquid or vapor having a temperature higher than 150° F. (65° C.) or in such quantity that the temperature of influent at the sewage treatment plant exceeds 104° F. (40° C.).

(11) Any water or wastes containing fats, wax, grease, or oils in excess of 100 mg/l or containing substances which may solidify or become viscous at temperatures between 32° and 150° F. (0° and 65° C.)

(12) Any liquid containing strong acid iron or similar pickling wastes, or concentrated plating or stripping solutions and residues.

(13) Any waters or wastes containing iron, chromium, copper, nickel, zinc, and similar heavy metals, phenols, or toxic/hazardous substances as defined in Section 311(b)(4) of the Act, similar substances subject to EPA toxicity testing procedures, and/or those which may be subsequently declared for mandatory exclusion or pretreatment via State of Pennsylvania Department of Environmental Resources pretreatment regulations or Categorical Standards,

promulgated by the EPA in accordance with Section 307(b) and (c) of the Act, pursuant to federal regulation 40 CFR 403 in quantities exceeding values experienced with normal domestic sewage.

(14) Any water or wastes containing color in excess of 150 true color units; subject, however, to limits of direct dilution capabilities of the public sewer system as the borough may determine with the advice of the Borough Engineer and the State of Pennsylvania Department of Environmental Resources in order to protect the receiving waters.

(15) Any waters or wastes exceeding the average strengths and composition of sanitary sewage as defined herein, except by borough-issued permit.

(16) Any waters or wastes containing radioactive materials or isotypes of such half-life or concentration as may exceed limits set by the borough in compliance with applicable state/federal regulations as now, or hereinafter, in effect.

(17) Waters or wastes containing any substances which are not amenable to treatment or biological reduction by the POTW process employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of regulatory agencies having jurisdiction for establishment and enforcement of effluent quality limitations for POTW discharges to receiving waters.

(18) Any waters or wastes specifically or categorically:

(a) 25.0 mg/l Aluminum (total).

(b) 5.0 mg/l Arsenic (total).

(c) 100.0 mg/l Barium (total).

(d) 1.3 mg/l Cadmium (total).

(e) 4.0 mg/l Chrome (total).

(f) 3.0 mg/l Copper (total).

(g) 5.0 mg/l Cyanide (total).

(h) 5.0 mg/l Iron (total).

(i) 2.0 mg/l Lead (total).

(j) 1.0 mg/l Mercury (total).

(k) 4.0 mg/l Nickel (total).

(l) 15.0 mg/l Phenolic compounds which cannot be removed by the borough's wastewater treatment processes.

(m) 15.0 mg/l Phosphates.

(n) 1.0 mg/l Selenium (total).

(o) 5.0 mg/l Silver (total).

(p) 2.0 mg/l Tin (total).

(q) 3.0 mg/l Zinc (total).

(r) 100.0 mg/l fats, oils and grease.

§ 205-18 Special agreements and waivers.

A. Special agreements. No statement contained in these regulations shall be construed as preventing any special agreement or arrangement between the borough and any industrial user whereby compatible industrial waste discharges of unusual strength or character may be accepted by the borough for treatment, subject to borough-stipulated capital and usage changes by the industrial user. However, in no instance will a waiver be granted by the borough which would result in a

violation of any federal, general, or categorical pretreatment standard or prohibition then in effect or subsequently promulgated.

B. Waivers. The borough does reserve the right to grant a waiver to any person for any specific limit contained in **§ 205-17B (1)** through **(18)**, when it can be demonstrated by the industrial user to the satisfaction of state/federal regulatory agencies of jurisdiction that such waiver will not result in contravention of state receiving water quality standards, violation of any of the remaining prohibited discharges as set forth in said **§ 205-17B(1)** through **(18)**, cause interference of the borough's POTW facilities, or adversely impact on borough sludge disposal. The following factors may be used in granting waivers:

(1) Compliance with the limit would result in a removal cost wholly out of proportion to the environmental benefits achieved.

§ 205-19 Powers and authority of personnel.

Representatives of the Commonwealth of Pennsylvania Department of Environmental Resources, United States Environmental Protection Agency and the borough's designated agents, manager, employees, building sewer inspector(s) and/or borough engineers, bearing proper credentials and identification, shall be permitted to enter all properties for purposes of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this regulation. However, no state, federal, or borough representative is with authorization to inquire into any proprietary processes including, but not necessarily limited to, metallurgical, chemical, oil refining, ceramic, fruit processing, paper, or other industries, beyond that point having a direct bearing on the kind, source, quantity, and qualities of waste discharges to the public sanitary sewers for waste treatment by the borough POTW.

§ 205-20 Violations and penalties.

Any person or party violating any of the provisions of this regulation shall, upon conviction before a District Magistrate having jurisdiction, be subject to a fine or penalty of not less than $25 nor more than $500 for each offense, to be collected as fines or penalties as recoverable by law, and whenever such person or party shall have been notified in writing by the borough or by the service of a summons in a prosecution that they are violating a provision of this regulation, each day that such person or party will continue such violation after such notice shall constitute a separate offense punishable by a like fine or penalty. In addition to fines or penalties imposed, persons or parties violating any provision of this regulation shall pay attorneys' fees and related expenses of litigation incurred by the borough in conjunction with appropriate suit(s) at law against such persons or parties found to have violated this regulation or any provision hereof.

File 242-02
cc: Craig Bauer

pennsylvania
DEPARTMENT OF ENVIRONMENTAL PROTECTION

September 11, 2015

Phil Lingenfelter
Kane Borough
112 Bayard Street
Kane, PA 16735-1377

RECEIVED
SEP 15 2015
By MK

Re: Corrective Action Plan
Kinzua Road STP
NPDES Permit No. PA0023175
Kane Borough, McKean County

Dear Mr. Lingenfelter:

The Department has reviewed the Kane Borough Authority's ("Authority") proposed Corrective Action Plan ("CAP") dated September 3, 2015, submitted by KLH Engineers on behalf of the Authority. The CAP addresses an organic overload at the Kinzua Road sewage treatment plant ("STP") as reported in the 2014 Annual Wasteload Management Report.

The Department hereby approves the Authority's CAP.

In response to the organic overload, a review of the influent sampling procedures was conducted where it was determined that the influent sampling tube was positioned at the bottom of the influent trough allowing to sampler to draw heavy solids. This situation was corrected in June 2015.

The CAP proposes to monitor influent loadings for the remainder of 2015 to verify effectiveness of the relocated influent tubing. If the STP experiences additional organic overloads, the Authority will move to complete system improvements to expand treatment capacity. New connections to the sewer system will be prohibited during the verification period.

If the STP does not experience an overload during the remainder of 2015, the Authority will request termination of the CAP and removal of the connection restrictions.

The Department looks forward to reviewing the loading data for the remainder of the year.

If you have any questions regarding this letter, please feel free to contact me at 814.332.6326.

Sincerely,

Eric C. Kicher
Water Quality Specialist Supervisor
Clean Water Program

cc: Michael Sherrieb, KLH Eng.
D. Hanna
M. Zimmerman/D. Ulan-Smith
Corres. File thru Nagy/Holden/Kicher

pennsylvania
DEPARTMENT OF ENVIRONMENTAL PROTECTION

October 25, 2016

Mr. Phil Lingenfelter
Kane Borough
112 Bayard Street
Kane, PA 16735-1377

Re: Corrective Action Plan
Kinzua Road STP
NPDES Permit No. PA0023175
Kane Borough, McKean County

Dear Mr. Lingenfelter:

The Department of Environmental Protection (Department) has concluded that the September 3, 2015 Corrective Action Plan submitted by Kane Borough under 25 Pa. Code §94.21, has been completed satisfactorily and that the Kinzua Road STP is no longer organically overloaded. New connections to the sewer system are no longer restricted.

The Department appreciates Kane's efforts for the timely and cooperative resolution of this matter. Please do not hesitate to contact me if you have any questions on this matter. Thank you.

If you have any questions concerning this notice, please contact me at 814.332.6863 or sublack@pa.gov.

Sincerely,

Susan E. Black
Water Quality Specialist Supervisor
Clean Water Program

cc: Don Hanna (*via email*)
Correspondence File thru Holden/Kicher/Black

pennsylvania
DEPARTMENT OF ENVIRONMENTAL PROTECTION

March 16, 2016

NOTICE OF VIOLATION

2016

CERTIFIED MAIL NO. 91 7108 2133 3939 5478 2577

Mr. Dave Peterson
Kane Borough Authority
P.O. Box 79
Kane, PA 16735-1377

Re: Sewage-Effluent Violations
Pine Street STP Kane
NPDES Permit No. PA0023167

Dear Mr. Peterson:

Based upon a Department of Environmental Protection ("Department") records review, your Discharge Monitoring Reports ("DMRs"), submitted pursuant to NPDES Permit No. PA0023167 ("NPDES Permit"), indicate a pattern of effluent discharge exceedances. Specifically, the effluent discharge exceedances are summarized in Exhibit A, enclosed for your review.

In addition, Part C.II.B.2.g. of the NPDES Permit requires Kane Borough Authority to submit progress reports to the Department every three months concerning Toxic Reduction Evaluation (TRE). The Department has not received a progress report since November 2013.

Violations

The effluent discharge exceedances are contrary to the effluent limitations set forth in your NPDES Permit and constitute violations of Sections 202 and 611 of the Clean Streams Law, 35 P.S. §§691.202 and 691.611611, and Part A of the NPDES Permit; unlawful conduct under Section 611 of the Clean Streams Law, 35 P.S. §691.611, and may subject Kane Borough Authority to civil penalties pursuant to Section 605 of the Clean Streams Law, 35 P.S. §691.605.

Your failure to submit TRE progress reports constitute violations of Sections 202 and 611 of the Clean Streams Law, 35 P.S. §§691.202 and 691.611, and Part C of the NPDES Permit; unlawful conduct under Section 611 of the Clean Streams Law, 35 P.S. §691.611, and may subject Kane Borough Authority to civil penalties pursuant to Section 605 of the Clean Streams Law, 35 P.S. §691.605.

Within 30 days from the date of this notice, the Department requests that you submit a written response to our office explaining the cause of the violations and what corrective actions you will take to resolve the violations and come into compliance with the NPDES Permit and the Clean Streams Law.

Reissuance of NPDES Permit

Pursuant to 25 Pa. Code §92.a.75 and the 3rd condition on Page 1 of the NPDES Permit, Kane Borough Authority is required to submit a timely and complete NPDES Permit application to the Department at least 180 days prior to the September 30, 2016 expiration date (i.e. April 2, 2016). Please be advised that the Department may not be able to reissue the NPDES Permit until the violations at the Plant have been resolved and Kane Borough Authority has achieved compliance with the NPDES Permit and the Clean Streams Law.

This Notice of Violation is neither an order nor any other final action of the Department. It neither imposes nor waives any enforcement action available to the Department under any of its statutes. If the Department determines that an enforcement action is appropriate, you will be notified of the action.

Questions concerning this notice may be directed to me at 814.332.6863 or sublack@pa.gov.

Sincerely,

Susan E. Black
Water Quality Specialist Supervisor
Clean Water Program

cc: Justin Dickey (via email)
Stephen McCauley (via email)
Don Hanna (via email)
Correspondence File thru Kicher/Holden

Exhibit A

Pine Street STP Kane, NPDES Permit No. 0023167
Summary of Effluent Discharge Violations
January 2015 through February 2016

Monitoring Period End Date	Parameter	Reported Value	Permit Value	Unit of Measure	Statistical Base Code
05/31/2015	Carbonaceous Biochemical Oxygen Demand (CBOD5)	18	15	mg/L	Weekly Average
01/31/2015	Copper, Total	0.01	0.007	mg/L	Average Monthly
02/28/2015	Copper, Total	0.012	0.007	mg/L	Average Monthly
03/31/2015	Copper, Total	0.014	0.007	mg/L	Average Monthly
04/30/2015	Copper, Total	0.009	0.007	mg/L	Average Monthly
05/31/2015	Copper, Total	0.013	0.007	mg/L	Average Monthly
06/30/2015	Copper, Total	0.01	0.007	mg/L	Average Monthly
07/31/2015	Copper, Total	0.01	0.007	mg/L	Average Monthly
08/31/2015	Copper, Total	0.013	0.007	mg/L	Average Monthly
09/30/2015	Copper, Total	0.014	0.007	mg/L	Average Monthly
10/31/2015	Copper, Total	0.014	0.007	mg/L	Average Monthly
11/30/2015	Copper, Total	0.012	0.007	mg/L	Average Monthly
12/31/2015	Copper, Total	0.011	0.007	mg/L	Average Monthly
01/31/2016	Copper, Total	0.008	0.007	mg/L	Average Monthly
08/31/2015	Dissolved Oxygen	6.7	7.0	mg/L	Minimum
09/30/2015	Dissolved Oxygen	6.6	7.0	mg/L	Minimum
11/30/2015	Dissolved Oxygen	6.9	7.0	mg/L	Minimum
05/31/2015	Fecal Coliform	1986	<1000	CFU/100 ml	Instantaneous Maximum
06/30/2015	Fecal Coliform	> 2420	<1000	CFU/100 ml	Instantaneous Maximum
07/31/2015	Fecal Coliform	> 2420	<1000	CFU/100 ml	Instantaneous Maximum
08/31/2015	Fecal Coliform	1046	<1000	CFU/100 ml	Instantaneous Maximum

KLH
ENGINEERS, INC

April 28, 2016
Ref. No. 242-02

Ms. Susan E. Black, Water Quality Specialist Supervisor
Clean Water Program
Pennsylvania Department of Environmental Protection
230 Chestnut Street
Meadeville, PA 16335-3481

Dear Ms. Black:

Borough of Kane Authority
Response and Corrective Action to
PADEP Notice of Violation Dated March 16, 2016
For the Pine Street WWTP Effluent Violations
NPDES PA0023167

I am writing at the request of the Borough of Kane Authority in response to the Pennsylvania Department of Environmental Protection NOTICE OF VIOLATION for the Kane Borough Authority's Pine Street STP, NPDES #PA0023167, dated March 16, 2016.

Please accept the following responses which detail the explanation of the cause of each listed effluent violation and what corrective actions are necessary to resolve the effluent violations and bring the Pine Street STP into compliance with the terms, conditions and effluent limitations of NPDES Permit PA0023167.

Violation	05/31/2015	Effluent $CBOD_5$	Reported value, weekly average 18 mg/l Permitted value, weekly average 15 mg/l

Explanation of violation – The weekly average was a calculated value of two (2) 24 hour composite samples analyzed for $CBOD_5$. The first 24 hour composite sample was taken from 5/18/2015 to 5/19/2015 and was measured by the Certified Environmental Testing Lab as 4 mg/l. The second 24 hour composite sample was taken from 5/20/2015 to 5/21/2015 and was measured by the Certified Environmental Testing Lab as 31 mg/l. The resultant weekly average of 17.5 mg/l was reported as 18 mg/l to report the same number of significant digits as the permitted limit of 15 mg/l. The dramatic increase in effluent $CBOD_5$ was due the reactivation of SBR #3 on 5/19/2015. SBR #3 was taken off line on 1/27/2015 due to a broken air line leading from the Blower building to SBR #3. The Mixed Liquor Suspended Solids (MLSS) in SBR #3 was not aerated from 1/27/2015 through 5/19/2015 due to the fractured air line. The air line fracture was not a simple repair. Upon excavation and inspection the condition of the aeration pipe was found to be severely corroded due to the lack of poly wrap and insufficient backfill material. An emergency contract was prepared to replace the aeration lines. During completion of the work due to the poor condition of all of the aeration lines, the contractor was instructed to replace the aeration lines to all four basins. The contract was completed in May and SBR #3 was activated. Due to the true batch system of the Pine Street SBR's the treatment of SBR #3 was limited since the MLSS was no longer a healthy aerobic system.

5173 Campbells Run Road Pittsburgh, PA 15205 Phone: 412.494.0510 Fax: 412.494.0426 info@klhengineers.com
www.klhengineers.com

Corrective Actions – The SBR after long periods of inactivity or long periods of interrupted aeration, mixing and feeding should be drained. The MLSS should be drained to available digesters for stabilization and disposal. The SBR should be reseeded with healthy aerobic active MLSS capable of both carbonaceous treatment and nitrification. After reseeding the SBR can then be placed on line. This procedure should allow treatment to within permit limits from the immediate activation of the SBR.

Violation	08/31/2015	Effluent DO	Reported value, minimum 6.7 mg/l Permitted value, minimum 7.0 mg/l

Explanation of violation – The effluent Dissolved Oxygen was sampled and measured below the permitted minimum value of 7.0 mg/l in August, 2015. The DO level was low in the effluent due to extremely low flow conditions during the month, along with high wastewater temperatures. The staff also believes solids that had settled and built up in both the chlorine contact tank and the effluent water tank may have been a contributing factor. The chlorine contact tank and effluent water tank had added solids loads due to increased settling caused by the extremely low flows at Pine St STP during August 2015. The minimum daily flow during the month was only 0.136 MGD and the maximum daily flow was only 0.360 MGD. The facility is rated for an average day flow rate of 1.5 MGD.

Corrective Actions – Maintaining effluent DO above the minimum 7.0 mg/l concentration during hot summer periods and during periods of low flow conditions can be achieved by increasing the frequency of cleaning of the chlorine contact tanks and the effluent water tank. By reducing the amount of oxygen depleting solids in these tanks the effluent DO will be maximized. Should the DO fall below the minimum concentration of 7.0 mg/l with the increased tank cleaning schedule implemented, the Authority will need to add post aeration improvements such as a larger aeration pump or the addition of a post aeration blower and diffuser system.

Violation	09/30/2015	Effluent DO	Reported value, minimum 6.6 mg/l Permitted value, minimum 7.0 mg/l

Explanation of violation – The effluent Dissolved Oxygen was sampled and measured below the permitted minimum value of 7.0 mg/l in September, 2015. The DO level was low in the effluent due to low flow conditions during the month, along with high wastewater temperatures. The staff also believes solids that had settled and built up in both the chlorine contact tank and the effluent water tank may have been a contributing factor. The chlorine contact tank and effluent water tank had added solids loads due to increased settling caused by the extremely low flows at Pine St STP during September 2015. The minimum daily flow during the month was only 0.147 MGD and the maximum daily flow was only 0.697 MGD. The facility is rated for an average day flow rate of 1.5 MGD.

Corrective Actions – Maintaining effluent DO above the minimum 7.0 mg/l concentration during warm weather periods and during periods of low flow conditions can be achieved by increasing the frequency of cleaning of the chlorine contact tanks and the effluent water tank. By reducing the amount of oxygen depleting solids in these tanks the effluent DO will be maximized. Should the DO fall below the minimum concentration of 7.0 mg/l with the increased tank cleaning schedule implemented, the Authority will need to add post aeration improvements such as a larger aeration pump or the addition of a post aeration blower and diffuser system.

Violation – 11/30/2015 Effluent DO Reported value, minimum 6.9 mg/l
Permitted value, minimum 7.0 mg/l

Explanation of violation – The effluent Dissolved Oxygen was sampled and measured below the permitted minimum value of 7.0 mg/l in November, 2015. The D.O. level of 6.9 mg/l minimum was measured and recorded as a result of the DO probe going bad. Operations staff noticed during November 2015 that shortly after completing the calibration of the DO probe, the measurements would drift below the calibrated standard. The DO probe was replaced after the DO of 6.9 mg/l was measured and recorded. The drifting of the DO probe to values below the calibration standard stopped and Effluent DO readings immediately returned to levels above the minimum 7.0 mg/l values.

Corrective Actions – The operators will in the future replace the DO probe at the first sign the probe does not hold calibration. DO probe life and replacement frequency recommendations will be obtained from the manufacturer of the DO probe and will be followed to assure timely replacement of DO probes.

Violation – 05/31/2015 Fecal Coliform Reported value, Inst. Max. 1986 CFU/100ml
Permitted value, Inst Max. 1000 CFU/100ml

Explanation of violation – The Fecal Coliform instantaneous maximum violation occurred in the May 21, 2015 effluent grab sample. The Fecal Coliform violation is attributed to the activation of SBR #3. Due to the extended period of time that SBR #3 was off-line it is speculated that the resulting decants caused a significant increase in the chlorine demand. The increased demand reduced the available free chlorine residual for disinfection, and thus the elevated Fecal Coliform levels. Staff is very sensitive to the discharged TRC to the stream and makes every effort to minimize TRC in the discharge. The TRC limitation is 0.16 mg/l monthly average. The TRC limitation was not violated during this period.

Corrective Actions – The corrective actions involve two parts. The first is closer operator manual control the chlorine disinfection feed during periods where elevated chlorine demand is or should be expected. The second, should the first corrective action not produce regular compliance going forward would be the installation of automated disinfection dose feed controls such as an Oxidation/Reduction Potential (ORP) monitor to flow pace the chemical feed proportional to both flow rate and chlorine demand.

Violation – 06/30/2015 Fecal Coliform Reported value Inst.Max.>2420 CFU/100ml
Permitted value Inst Max. 1000 CFU/100ml

Explanation of violation – The Fecal Coliform instantaneous maximum violation occurred in the June 30, 2015 effluent grab sample. The Fecal Coliform violation is attributed to high flow rates from a storm event that coincided with the time of sampling. The daily flow for June 30, 2015 was recorded as 0.956 MGD. No internal bypass occurred or was associated with the June 30, 2015 Fecal Coliform sample. The increased flow most likely increased solids to the Chlorine Contact Tank, which subsequently increased the chlorine demand on the effluent.

Corrective Actions – The corrective actions involve two parts. The first is closer operator manual control the chlorine disinfection feed during periods where elevated chlorine demand and/or elevated flow is or should be expected. The second, should the first corrective action not produce regular compliance going forward would be the installation of automated disinfection dose feed controls such as an Oxidation/Reduction Potential (ORP) monitor to flow pace the chemical feed proportional to both flow rate and chlorine demand.

Violation – 07/31/2015 Fecal Coliform Reported value Inst.Max.>2420 CFU/100ml
Permitted value Inst Max. 1000 CFU/100ml

Explanation of violation – The Fecal Coliform instantaneous maximum violations occurred on the July 16, 2015 effluent grab sample and the July 30, 2015 effluent grab sample. The Fecal Coliform violations are attributed to high flow rates from a storm event that coincided with the time of sampling. An internal bypass occurred on July 30, 2015 which may have occurred in conjunction with the Fecal Coliform sample. The increased flow most likely increased solids to the Chlorine Contact Tank, which subsequently increased the chlorine demand on the effluent and the chlorine dose rate increase was not sufficient to account for the increased demand.

Corrective Actions – The corrective actions involve two parts. The first is closer operator manual control the chlorine disinfection feed during periods where elevated chlorine demand and/or elevated flow is or should be expected. The second, should the first corrective action not produce regular compliance going forward would be the installation of automated disinfection dose feed controls such as an Oxidation/Reduction Potential (ORP) monitor to flow pace the chemical feed proportional to both flow rate and chlorine demand.

Violation – 08/31/2015 Fecal Coliform Reported value Inst.Max.>1046 CFU/100ml
Permitted value Inst Max. 1000 CFU/100ml

Explanation of violation – The Fecal Coliform instantaneous maximum violations occurred on the August 11, 2015 effluent grab sample. There is no ascertainable explanation for this Fecal Coliform violation. The chlorine disinfection system was fully functional. The plant flows and loadings were normal in the influent, in the SBR process, and in the chlorine contact tank. The only plausible explanation for this violation is possible accidental Fecal Coliform contamination of the sterilized sample container.

Corrective Actions – The corrective actions involves reviewing and following sterile sample procedures for the Fecal Coliform test as detailed in Standard Methods, to assure accidental sample contamination is avoided.

Violations – 01/31/2015 to 01/31/2016 Copper Reported monthly avg. conc. >0.007 mg/l
Permitted Monthly avg. conc. 0.007 mg/l

Explanation of violations – The Copper violations recorded each month of the 2015 operating year are a result of an extremely low Copper effluent limitation of 0.007 mg/l which was incorporated into the Pine Street WWTP during its last permit renewal cycle. The Kane Borough Authority petitioned the Department to conduct a Toxicity Reduction Evaluation (TRE) study for Copper in July of 2012, in anticipation of not being able to meet the proposed effluent

Copper limitation of 0.007 mg/l which became effective October 1, 2014. The TRE was completed and submitted to the Department in January of 2014. The TRE study was never accepted or approved by the Department. On October 1, 2014 the Pine Street NPDES Permit instituted the final monthly average concentration limit for effluent Copper of 0.007 mg/l, an instant maximum concentration of 0.014 mg/l and a final monthly average loading for Copper of 0.087 lbs per day. Since October 2014, Kane has not met the monthly average effluent concentration of 0.007 mg/l while it has also never exceeded the monthly average effluent mass load for Copper of 0.087 lbs/day. Kane employs a conventional activated sludge SBR process at the Pine Street WWTP. A review of monthly influent and effluent copper for 2015 indicates the Pine Street WWTP has an average removal efficiency of 79.1% for Copper. The Copper removal efficiencies varied each month of 2015 from a low in April of 63% to a high in October of 93%. These removal efficiencies are typical for a conventional activates sludge plant for Copper. The existing activated sludge process at the Pine St WWTP represents the Best Practical Technology available for removal of Copper. In order for Kane to meet the 0.007 mg/l effluent concentration it would have to limit the allowable concentration in the plant influent to less than 0.033 mg/l on a regular basis. Kane reviewed their customer base to try and identify a source of Copper that they could regulate, or potentially reduce or remove from their influent. No identifiable customer was made, as there are no industries in the Kane Pine Street service area.

Knowing they could not meet the new quantitative limitations for effluent Copper concentration Kane petitioned the Department in May 2015 to conduct a Water Effects Ratio study to determine site specific toxicity of copper and to apply the WER to a new effluent limitation for Copper in their current NPDES permit. A work plan for the Pine St WWTP Copper WER study was submitted to the Department for review and approval on May 22, 2015. Approval was granted on September 30, 2015.

EnviroScience was contact and the first round of WER sampling was completed on November 18, 2015. The second round of WER sampling had to be at least thirty days from the first round of sampling to meet established protocol. The second round of sampling involved some issues that the Authority had to deal with. The discharge stream had iced over and was inaccessible to obtain the required stream sample. This delayed the second round of testing. When the ice eventually cleared the ice flow had dislodged the stream transects installed for the stream flow gauging station. The stream flow gauging station is used to determine the stream flow at the time of sampling, had to be subsequently reinstalled prior to completion of the second round of WER sampling. The gauging station transects were reinstalled in March 2016. The second round of WER sampling was conducted and completed March 23, 2016. EnviroScience advised me that the second round of testing was completed and they were awaiting completion of the wet chemistry results to begin to complete the QA/QC and statistical analysis. EnviroScience advised the Authority in an April 22, 2016 email that there was copper contamination of the prepared MHRW lab water utilized in the dissolved Copper portion of the WER evaluation for the second sample. The email was forwarded to the Department for review and guidance as to whether the dissolved portion of the WER second sample needed to be completed or if the results from the second WER sample for total Copper where acceptable. We are currently awaiting guidance regarding the need to resample to conduct another round of WER testing.

The Copper TRE Progress Reports referenced were halted in the last quarter of 2013 due to the submission of the Copper TRE study to the Department in January of 2014. After discussing the Quarterly Progress Report requirement with the Department, I am now aware that the Department is requesting and expects Quarterly Progress Reports on progress to compliance with the effluent Copper limitations of the NPDES permit, and not just for the TRE Phase I study that has been completed. I have provided as an attachment Quarterly Progress Reports for all activities related to achieving compliance with the NPDES permit effluent limitations for Copper at the Pine St WWTP from January 2014 through March 31, 2016. I will also continue to provide a Quarterly Report related to Copper Compliance to you until the issue is fully resolved.

If you have any questions or would like any additional information please contact me directly at my office (412)-494-0510, ext 116, via email msherrieb@klhengineers.com or on my cellular phone (724)-809-5196.

Sincerely,

Michael C. Sherrieb
Project Engineer

Encls.

cc: Craig Bauer, P.E., KLH Engineers, Inc., w/ enclosures
Don Payne, Kane Borough Manager, w/ enclosures
Phil Lingenfelter, Kane Borough Authority, Foreman, w/ enclosures
Todd Meserole, Kane Borough Authority, Operator, w/ enclosures
Justin Dickey, P.E., PADEP, w/ enclosures
Stephen McCauley, PADEP, w/ enclosures
Don Hanna, PADEP, w/ enclosures

Borough of Kane Authority
Phase I TRE Work Plan
Pine Street WWTP for Copper
Quarterly Status Report
January - March 2014

KLH Engineers, Inc. has prepared this quarterly, Phase I Toxicity Reduction Evaluation Status Report for submission to and review by the Pennsylvania Department of Environmental Protection.

The work items contained in Section I. of the Phase I TRE work plan have been undertaken. The following details their status

I. Source Inventory Evaluation for Copper (initiated June 2012)

Items i. through xi. have been evaluated and completed.

II. Influent and Effluent Quality Review (initiated June 2012)

Items i. through vii. have been evaluated and completed.

III. Source Reduction Evaluation (initiated October 2012)

Items a. through c. have been initiated.

IV. Data Collection/Limits Verification (Completed)

TRE report has been completed and was submitted to the Department January 14, 2014.

If you have any question on the status or progress of this work please contact me directly at (412)-494-0510, extension 116. Thank you.

Michael C. Sherrieb

KLH Engineers, Inc.

Borough of Kane Authority
Phase I TRE Work Plan
Pine Street WWTP for Copper
Quarterly Status Report
April - June 2014

KLH Engineers, Inc. has prepared this quarterly, Phase I Toxicity Reduction Evaluation Status Report for submission to and review by the Pennsylvania Department of Environmental Protection.

The Phase I TRE report has been completed and was submitted to the Department January 14, 2014.

The Borough is continuing monitoring and reporting of effluent Total Copper in its NPDES Discharge Monitoring Reports and is awaiting a determination on the submitted Phase I TRE study report from the Department.

If you have any question on the status or progress of this work please contact me directly at (412)-494-0510, extension 116. Thank you.

Michael C. Sherrieb

KLH Engineers, Inc.

Borough of Kane Authority
Phase I TRE Work Plan
Pine Street WWTP for Copper
Quarterly Status Report
July - September 2014

KLH Engineers, Inc. has prepared this quarterly, Phase I Toxicity Reduction Evaluation Status Report for submission to and review by the Pennsylvania Department of Environmental Protection.

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If you have any question on the status or progress of this work please contact me directly at (412)-494-0510, extension 116. Thank you.

Michael C. Sherrieb

KLH Engineers, Inc.

Borough of Kane Authority
Phase I TRE Work Plan
Pine Street WWTP for Copper
Quarterly Status Report
October - December 2014

KLH Engineers, Inc. has prepared this quarterly, Phase I Toxicity Reduction Evaluation Status Report for submission to and review by the Pennsylvania Department of Environmental Protection.

The Phase I TRE report has been completed and was submitted to the Department January 14, 2014.

The Borough is began compliance monitoring and reporting of effluent Total Copper in its NPDES Discharge Monitoring Reports and is awaiting a determination on the submitted Phase I TRE study report from the Department. The Borough was unable to meet the monthly average discharge concentration for Total Copper of 0.007 mg/l as required in the NPDES Permit.

If you have any question on the status or progress of this work please contact me directly at (412)-494-0510, extension 116. Thank you.

Michael C. Sherrieb

KLH Engineers, Inc.

Borough of Kane Authority
Phase I TRE Work Plan
Pine Street WWTP for Copper
Quarterly Status Report
January - March, 2015

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Michael C. Sherrieb

KLH Engineers, Inc.

Borough of Kane Authority
Phase I TRE Work Plan
Pine Street WWTP for Copper
Quarterly Status Report
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The Borough has submitted a Copper Water Effects Ratio study work plan on May 22, 2015 to the Department for review and approval. The Borough is requesting the WER study for Copper to determine a site specific effluent limitation for Copper in order to comply with the limitations of the NPDES permit.

If you have any question on the status or progress of this work please contact me directly at (412)-494-0510, extension 116. Thank you.

Michael C. Sherrieb

KLH Engineers, Inc.

Borough of Kane Authority
Phase I TRE Work Plan
Pine Street WWTP for Copper
Quarterly Status Report
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The Borough has submitted a Copper Water Effects Ratio study work plan on May 22, 2015 to the Department for review and approval. The Borough is requesting the WER study for Copper to determine a site specific effluent limitation for Copper in order to comply with the limitations of the NPDES permit.

The Borough has received approval of the Copper WER study work plan from the Department on September 30, 2015. The Borough is implementing the Copper WER work plan and will be scheduling sampling with the testing laboratory.

If you have any question on the status or progress of this work please contact me directly at (412)-494-0510, extension 116. Thank you.

Michael C. Sherrieb

KLH Engineers, Inc.

Borough of Kane Authority
Phase I TRE Work Plan
Pine Street WWTP for Copper
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The Borough has received approval of the Copper WER study work plan from the Department on September 30, 2015. The Borough is implementing the Copper WER work plan and will be scheduling sampling with the testing laboratory.

The first round of sampling and testing for the WER study began November 18, 2015. The second round is scheduled to begin in January 2016.

If you have any question on the status or progress of this work please contact me directly at (412)-494-0510, extension 116. Thank you.

Michael C. Sherrieb
KLH Engineers, Inc.

Borough of Kane Authority
Phase I TRE Work Plan
Pine Street WWTP for Copper
Quarterly Status Report
January - March, 2016

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The Borough has received approval of the Copper WER study work plan from the Department on September 30, 2015. The Borough is implementing the Copper WER work plan and will be scheduling sampling with the testing laboratory.

The first round of sampling and testing for the WER study began November 18, 2015. The second round is scheduled to begin in January 2016.

The second round of WER testing was delayed due to icing of the stream which made collection of an in-stream water sample impossible. Second round WER sampling was completed March 23, 2016 after the stream flow gauging station was reinstalled.

The WER testing laboratory, EnviroScience, Inc. has advise the WER study report should be completed within the next 30-45 days, late April 2016, or early May 2016.

If you have any question on the status or progress of this work please contact me directly at (412)-494-0510, extension 116. Thank you.

Michael C. Sherrieb
KLH Engineers, Inc.

pennsylvania
DEPARTMENT OF ENVIRONMENTAL PROTECTION

June 20, 2017

NOTICE OF VIOLATION

CERTIFIED MAIL NO. 91 7108 2133 3939 5478 2980

RECEIVED
JUN 22 2017
KANE BOROUGH

Mr. David Peterson, Chairman
Kane Borough Authority
112 Bayard Street
Kane, PA 16701

Re: Wasteload Management Annual Report
a/k/a Chapter 94 Report
Kane Pine Street Sewage Treatment Plant &
Kane Kinzua Road Sewage Treatment Plant
Kane, McKean County

Dear Mr. Peterson:

25 Pa. Code Chapter 94, Municipal Wasteload Management ("Chapter 94") requires owners and operators of sewerage facilities to project, plan and manage future hydraulic, organic and industrial waste loadings to their sewerage facilities.

The Chapter 94 report is to provide a comprehensive annual review for use by the Kane Borough Authority ("Authority") and the Department of Environmental Protection ("Department") to evaluate the current condition and status of the entire sewerage system and ensure sufficient time to address operation and/or maintenance problems. Chapter 94 requires submission of a complete and accurate wasteload management annual ("Chapter 94") report, in duplicate, to the Department by March 31 of each year. We have reviewed the Authority's 2016 Pine Street sewage plant and Kinzua Road sewage plant Chapter 94 Reports ("Report"), prepared by Craig Bauer, KLH Engineers, Inc., and find both deficient as noted below. The comments apply to both reports unless specifically noted:

1) The Report should be signed by the permittee, in this case yourself or another ranking Authority member.

2) The discussion of sewer system monitoring, maintenance and repair is very general. Activities/work completed is suggested but no specifics or detail of work done are given. For example, if no monitoring or repair work (e.g. smoke testing, flow metering, manhole rehab) was done, the report should state no work was done. If manholes were inspected or sewers flushed, locations and work completed should be included.

3) The Report does not address pump station activities such as frequency of inspection, records maintained, alarms and testing.

4) Flow data for the pump stations is included, however, there is no discussion of the basis of the data or how it was obtained. This should be addressed as part of the quality assurance/data analysis requirement for the Report.

5) The Report states there are no "significant" IUs on the system. The sewage treatment plants have had upsets in the past but this is not discussed. Information on upset conditions, any actions taken to address actual or potential upset, and a list of problem dischargers should be included.

6) A sewer use ordinance is noted but not attached to the Report, nor is there information on prior submission of the ordinance.

7) The Combined Sewer Overflow ("CSO") Status Report does not address actions taken to continue implementation of the Nine Minimum Controls ("NMC"), and does not include an assessment of the effectiveness of NMC implementation or evaluate the adequacy of your Long Term Control Plan.

8) Specific to the Kinzua Road Report, a projected organic overload is stated in section 9 of the Report and a Corrective Action Plan ("CAP") is stated to be Attachment 8. Attachment 8 is the CSO Report and Attachment 9 is an explanation of overload letter from 2015. No CAP is attached. Two versions of the Excel data tables/graphs are presented. No overload is shown in the graphs. One data table shows projected overload for 2017-2021. The other table apparently cuts peak data from calculations and shows no projected overload. The Report should better explain the two table/graph versions, how they differ and what data is cut, and justification for such.

Please submit revised 2016 Reports for the Kinzua Road and Pine Street sewage treatment plants addressing these comments to me within 30 days of receipt of this letter.

If you have any questions, please contact me at 814-332-6863.

Sincerely,

Susan E. Black
Water Quality Specialist Supervisor
Clean Water Program

cc: Don Hanna (via email)
Mike Zimmerman (via email)
Cyndi Selby (via email)
Correspondence File thru Holden/Kicher/Black

KLH
ENGINEERS, INC

July 6, 2017
Ref. No. 242-02

Ms. Susan E. Black
Water Quality Specialist Supervisor
Clean Water Program
230 Chestnut Street
Meadville, PA 16335

Pennsylvania Department of Environmental Protection
Notice of Violation Response Package

A notice of violation pertaining to the Chapter 94 Reports for both Pine St. Waste Water Treatment Plant (WWTP) and Kinzua Rd. WWTP, both of which serve the Borough of Kane was received June 22, 2017. The notice of violation was forwarded to KLH Engineers, Inc. for review and resubmission of revised Chapter 94 Reports for both WWTPs. The notice of violation included comments from DEP which detailed the deficiencies in both Reports. KLH has revised both reports and has altered them as needed to eliminate any deficiencies.

Below is a reiteration of the comments issued by DEP as well as a response to each comment that summarizes, and locates within the Report, each alteration that was made in response to that specific comment:

Comment 1) The Report should be signed by the permittee, in this case yourself or another ranking Authority member.

Response: The revised report is signed by David Peterson, an Authority Board Member.

Comment 2) The discussion of sewer system monitoring, maintenance, and repair is very general. Activities/work completed is suggested but no specifics or details of work done are given. For example, if no monitoring or repair work (e.g. smoke testing, flow metering, manhole rehab) was done, the report should state no work was done. If manholes were inspected or sewers flushed, locations and work completed should be included.

Response: Included at the end of Attachment 3 is a work log for the operating year 2016. Included in the work log are any significant operations for both Pine St. WWTP and Kinzua Rd. WWTP as well as the sewer system for the Borough of Kane.

Comment 3) The Report does not address pump station activities such as frequency of inspection, records maintained, alarms, and testing.

Response: A quality assurance paragraph was added to the "Pumping Stations" section in Attachment 3. This paragraph describes the station inspection frequency, as well as alarms and communications.

Comment 4) Flow data for the pump stations is included, however there is no discussion of the basis of the data or how it was obtained. This should be addressed as part of the quality assurance/data analysis requirement for the Report.

Response: The quality assurance paragraph in Attachment 3 describes the method that was used to gather data from pump stations. The Projected 2-Year Max. Flow (gpm) is found using an estimated 15% growth.

Comment 5) The report states there are no "significant " IUs on the system. The sewage treatment plants have had upsets in the past but this is not discussed. Information on upset conditions, any actions taken to address actual or potential upset, and a list of problem dischargers should be included.

Response: The past upsets were due to an error in the sampling technique and are not considered legitimate. A description of the sampling technique error, how it was addressed, and how it is accounted for in this report can be found at the beginning of Attachment 1, as well as in the "Organic Overload Explanation Letter" in Attachment 9. Currently there are no "problem dischargers" in the Borough of Kane, as stated in Attachment 5 "Industrial Waste".

Comment 6) A sewer ordinance is noted but not attached to the Report, nor is there information on prior submission of the ordinance.

Response: Attached to both the Reports for Kinzua Rd. WWTP and Pine St. WWTP is the "Sewers and Sewage Disposal Ordinance" for Kane Borough (Attachment 10).

Comment 7) The Combined Sewer Overflow ("CSO") Status Report does not address actions taken to continue implementation of Nine Minimum Controls ("NMC"), and does not include an assessment of the effectiveness of NMC implementation or evaluate the adequacy of your Long Term Control Plan.

Response: The Implementation of the Nine Minimum Controls section was expanded upon. The Nine Minimum Controls themselves were also expanded.

Comment 8) Specific to the Kinzua Road Report, a projected organic overload us stated in section 9 of the Report and a Corrective Action Plan ("CAP") is stated to be attachment 8. Attachment 8 is the CSO Report and Attachment 9 is an explanation of overload letter from 2015. No CAP is attached. Two Versions of the Excel data tables/graphs are presented. No overload is shown in the graphs. One data table shows projected overload for 2017-2021. The other table apparently cuts peak data from calculations and shows no projected overload. The Report should better explain the two table/graph versions, how they differ and what data is cut, and justification for such.

Response: (Specific to Kinzua Report) Included at the beginning of Attachment 1 is an explanation of the reasoning behind including two separate sets of data, and the difference between the two.

If you have any questions please feel free to contact me directly at (412)-494-0510, extension 116 or at msherrieb@klhengineers.com.

Very truly yours,

KLH ENGINEERS, INC.

Michael C. Sherrieb

Cc: Craig Bauer, P.E., KLH Engineers, Inc., (email only)

5173 Campbells Run Road Pittsburgh, PA 15205 Phone: 412.494.0510 Fax: 412.494.0426
info@klhengineers.com
www.klhengineers.com

Application of Pennsylvania-American Water Company for Acquisition of the Wastewater Assets of the Borough of Kane Authority
66 Pa. C.S. § 1329
Application Filing Checklist – Water/Wastewater
Docket No. A-2019-3014248

20. Proof of Compliance - provide proof of compliance with applicable design, construction and operation standards of DEP or of the county health department, or both, including:

f. Provide documentation of all Notices of Violations issued to seller by DEP for the last 5 years, an explanation of each, including a description of any corrective or compliance measures taken.

RESPONSE:

f. See **Appendix A-20-e**.

Application of Pennsylvania-American Water Company for Acquisition of Assets of The Wastwater Assets of the Borough of Kane Authority
66 Pa. C.S. §1329
Application Filing Checklist – Water/Wastewater
Docket No. A-2019-3014248

20. Proof of Compliance - provide proof of compliance with applicable design, construction and operation standards of DEP or of the county health department, or both, including:

g. Provide documentation evidencing a 5-year compliance history with DEP of other utilities owned or operated, or both, by the buyer, including affiliates, and their officers and parent corporations with regard to the provision of utility service.[4]

RESPONSE:

g. Pennsylvania American Water Company's compliance record has been consistently strong over the last ten years, especially as it relates to treatment technique and MCL violations, or the lack thereof. In 2016, Pennsylvania American Water Company received a late reporting violation in its nearby Warren system due to the amendment of a monthly low chlorine report.

[4] Pursuant to Section 1329 Checklist, attached hereto as Appendix A, regarding this checklist Item 20(g), Class A public utilities need only submit compliance history for operations in the neighboring areas or a statement attesting to their compliance with this item.

Application of Pennsylvania-American Water Company for Acquisition of the Wastewater Assets of the Borough of Kane Authority
66 Pa. C.S. § 1329
Application Filing Checklist – Water/Wastewater
Docket No. A-2019-3014248

20. Proof of Compliance - provide proof of compliance with applicable design, construction and operation standards of DEP or of the county health department, or both, including:

h. Provide a statement clarifying whether the acquired plant will be physically interconnected to the buyer's system or be operated as a standalone system.

RESPONSE:

h. The acquired plant will be operated as a standalone system. See also Direct Testimony of Michael J. Guntrum on behalf of Pennsylvania-American Water Company, PAWC Statement No. 2, at p. 9, enclosed at **Appendix A-14-a**.

Application of Pennsylvania-American Water Company for Acquisition of the Wastewater Assets of the Borough of Kane Authority
66 Pa. C.S. § 1329
Application Filing Checklist – Water/Wastewater
Docket No. A-2019-3014248

20. Proof of Compliance - provide proof of compliance with applicable design, construction and operation standards of DEP or of the county health department, or both, including:

    i. Provide a statement that explains how the acquisition will fit into the current operations of the buyer.

RESPONSE:

    i. See Direct Testimony of Michael J. Guntrum on behalf of Pennsylvania-American Water Company, PAWC Statement No. 2, at pp. 8-9, enclosed at **Appendix A-14-a**.

Application of Pennsylvania-American Water Company for Acquisition of the Wastewater Assets of the Borough of Kane Authority
66 Pa. C.S. § 1329
Application Filing Checklist – Water/Wastewater
Docket No. A-2019-3014248

20. Proof of Compliance - provide proof of compliance with applicable design, construction and operation standards of DEP or of the county health depa3rtment, or both, including:

j. Provide a statement that identifies the staff, district or division of the buyer that will operate and manage the acquisition.

RESPONSE:

j. See Direct Testimony of Michael J Guntrum on behalf of Pennsylvania-American Water Company, PAWC Statement No. 2, at pp. 8-9, enclosed at **Appendix A-14-a**.

Application of Pennsylvania-American Water Company for Acquisition of the Wastewater Assets of the Borough of Kane Authority
66 Pa. C.S. § 1329
Application Filing Checklist – Water/Wastewater
Docket No. A-2019-3014248

20. Proof of Compliance - provide proof of compliance with applicable design, construction and operation standards of DEP or of the county health department, or both, including:

k. Provide a statement quantifying the distance in miles the acquisition is from the buyer's existing system or facilities.

RESPONSE:

k. The Authority's System is in the same footprint as PAWC's Kane Water System. See Direct Testimony of Daniel P. Bickerton on behalf of Pennsylvania-American Water Company, PAWC Statement No. 1, at p. 13, enclosed at **Appendix A-14-a**.

Application of Pennsylvania-American Water Company for Acquisition of the Wastewater Assets of the Borough of Kane Authority
66 Pa. C.S. § 1329
Application Filing Checklist – Water/Wastewater
Docket No. A-2019-3014248

20. Proof of Compliance - provide proof of compliance with applicable design, construction and operation standards of DEP or of the county health department, or both, including:

    l. Provide a statement that identifies all planned physical, operational and managerial changes of the buyer that will occur after closing and state the timeframe and cost for each.

RESPONSE:

    l. See Direct Testimony of Michael J. Guntrum on behalf of Pennsylvania-American Water Company, PAWC Statement No. 2, at p. 9 and PAWC Exhibit MJG-1, enclosed at **Appendix A-14-a** for planned physical, operational and managerial changes that will occur after closing and the anticipated/estimated timeframe and costs for each.