



**Susan Simms Marsh**  
*Deputy General Counsel*  
Pennsylvania-American Water Company  
852 Wesley Drive, Mechanicsburg, PA 17055  
P: 717.550-1570  
Susan.marsh@amwater.com

March 5, 2021

**VIA ELECTRONIC FILING**

Ms. Rosemary Chiavetta, Secretary  
Commonwealth of Pennsylvania  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120

**Re: Application and related filings of Pennsylvania-American Water Company under Sections 507, 1102(a), and 1329 of the Pennsylvania Public Utility Code, 66 Pa. C.S. §§ 507, 1102(a), 1329, for approval of its acquisition of the wastewater collection and conveyance system of Valley Township, related wastewater service rights, fair market valuation ratemaking treatment, deferral of the post-acquisition improvement costs, and certain contracts with municipal corporations**

**Docket No. A-2020-3020178 – December 23, 2020 Deficiencies**

Dear Secretary Chiavetta:

Enclosed for filing with the Commission is an update to the Responses of Pennsylvania-American Water Company to the 66 Pa. C.S. Section 1329 Application Completeness Review of Pennsylvania-American Water Company – Wastewater Division Acquisition of Valley Township Wastewater Collection and Conveyance System at Docket No. A-2020-3020178 Missing Application, dated December 23, 2020. By Secretarial Letter dated January 11, 2021, the Company's time to respond was extended to February 8, 2021. On February 8, 2021, Pennsylvania-American Water Company submitted responses to the December 23, 2020 Deficiencies and requested conditional acceptance of the Application conditioned upon Valley Townships receipt from the Department of Environmental Protection the permit for the Country Ridge Pump Station that was applied for on February 5, 2021. The Department of Environmental Protection issued the permit for the Country Ridge Pump Station on February 21, 2021 and the response has been updated to include the said permit.



Pursuant to the Pennsylvania-American's letter of February 8, 2021, Pennsylvania-American is requesting conditional acceptance of its Application in the above-referenced docket with submission of this filing.

If you should have any questions, please feel free to contact us.

Copies are being served upon the advocates in accordance with the attached Certificate of Service and in accordance with the Commission's *Final Supplemental Implementation Order* entered February 28, 2019 at Docket No. M-2016-2543193.

Sincerely,

A handwritten signature in blue ink that reads "Susan Simms Marsh".

Susan Simms Marsh

cc: Sean Donnelly (*via electronic mail*)  
All Parties on the Attached Certificate of Service (*via electronic mail*)

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

In re: Application of Pennsylvania-American Water Company :  
under Section 1102(a) of the Pennsylvania Public Utility Code, :  
66 Pa C.S. § 1102(a), for approval of (1) the transfer, by sale, of :  
substantially all of the Township’s assets, properties and rights : Docket No. A-2020-302178, *et al.*  
related to its wastewater treatment, transportation and collection :  
system facilities to Pennsylvania-American Water Company, :  
and (2) the rights of Pennsylvania-American Water Company to :  
begin to offer or furnish wastewater service to the public in :  
Valley Township, Chester County, Pennsylvania :

**CERTIFICATE OF SERVICE**

I hereby certify that I am this day serving the above-referenced filing upon the persons and in the manner indicated below, which service satisfies the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

**Service in the matter denoted below as follows on March 5, 2021**

Tanya McCloskey, Acting Consumer Advocate  
Erin Gannon, Senior Consumer Advocate  
Office of Consumer Advocate  
555 Walnut Street  
Forum Place, 5<sup>th</sup> Floor  
Harrisburg, PA 17101-1923  
*(via electronic mail)*

John Evans, Director  
Sharon Webb, Esquire  
Office of Small Business Advocate  
555 Walnut Street  
Forum Place, 1<sup>st</sup> Floor  
Harrisburg, PA 17101  
*(via electronic mail)*

Erika L. McLain, Esquire  
John M. Coogan, Esquire  
Bureau of Investigation and Enforcement  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2<sup>nd</sup> Floor, F West  
Harrisburg, PA 17120  
*(via electronic mail)*

Thomas Wyatt, Esquire  
Michael A. Thom, Esquire  
Obermayer, Rebmann, Maxwell & Hippel  
LLP  
1500 Market Square Suite 3400  
Philadelphia, PA 19102  
*(via electronic mail)*

Respectfully Submitted,



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Susan Simms Marsh, Esquire  
Attorney I.D. No. 044689  
Pennsylvania-American Water Company  
852 Wesley Drive  
Mechanicsburg, PA 17055  
Phone: 717-550-1570  
E-mail: [susan.marsh@amwater.com](mailto:susan.marsh@amwater.com)

David P. Zambito, Esquire (PA ID 80017)  
Jonathan P. Nase, Esquire (PA ID 44003)  
Cozen O'Connor  
17 North Second Street, Suite 1410  
Harrisburg, PA 17101  
(717) 703-5892  
[dzambito@cozen.com](mailto:dzambito@cozen.com)  
[jnase@cozen.com](mailto:jnase@cozen.com)

**Attorneys for**  
***Pennsylvania-American Water Company***

**66 Pa. C.S. Section 1329 Second Application Completeness Review  
Pennsylvania-American Water Company – Wastewater Division Acquisition of  
Valley Township Wastewater System Assets at Docket No. A-2020-3020178**

23. Checklist Item No. 20.b – Number 12.a of the Application Completeness Review requested PAWC-WD provide copies of any DEP Water Quality Management (WQM) permits and permit amendments for the Country Ridge Pump Station. PAWC-WD's response indicated that Valley could not locate the first amendment to the Country Ridge Pump Station WQM permit. Please provide a copy of the original DEP WQM permit for the Country Ridge Pump Station and explain why a copy of the amended permit cannot be obtained from DEP and filed with the Commission.

**Response:** Please see **Third Amended Appendix A-20-b.**

**Application of Pennsylvania-American Water Company for Acquisition of  
the Wastewater Assets of Valley Township  
66 Pa. C.S. § 1329  
Application Filing Checklist – Water/Wastewater  
Docket No. A-2020-3020178**

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:
- b. For **wastewater** system acquisitions, provide copies of the water quality management and National Pollution Discharge Elimination System (NPDES) permits for the utility plant.

**SECOND AMENDED RESPONSE:**

- b. Attached is a copy of the Water Quality Management Permit for Country Ridge Pump Station. The permit is attached as **Third Amended Appendix A-20-b**.



February 22, 2021

Janis Rambo  
Valley Township Chester County  
PO Box 467, 1145 West Lincoln Highway  
Coatesville, PA 19320-0467

Re: WQM Permit - Sewage  
Valley Township Chester County Sewer System  
Permit No. WQG02152103  
Authorization ID No. 1342624  
Valley Township, Chester County

Dear Ms. Rambo:

Your Water Quality Management (WQM) permit is enclosed. You must comply with all Standard and Special Conditions attached to this Permit. Construction must be done in accordance with the permit application and all supporting documentation. Please review the permit conditions and the supporting documentation submitted with your application before starting construction.

Please note that you are responsible for securing all other required permits, approvals and/or registrations associated with the project, if applicable, under Chapters 102 (erosion and sedimentation control), 105 (stream obstructions and encroachments) and 106 (floodplains) of DEP's regulations. Construction may not proceed until all other required permits have been obtained.

Any person aggrieved by this action may appeal the action to the Environmental Hearing Board (Board), pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. § 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A. The Board's address is:

Environmental Hearing Board  
Rachel Carson State Office Building, Second Floor  
400 Market Street  
P.O. Box 8457  
Harrisburg, PA 17105-8457

TDD users may contact the Environmental Hearing Board through the Pennsylvania Relay Service, 800-654-5984.

## Third Amended Appendix A-20-b

Appeals must be filed with the Board within 30 days of receipt of notice of this action unless the appropriate statute provides a different time. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

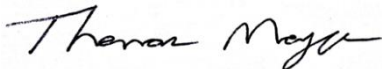
A Notice of Appeal form and the Board's rules of practice and procedure may be obtained online at <http://ehb.courtapps.com> or by contacting the Secretary to the Board at 717-787-3483. The Notice of Appeal form and the Board's rules are also available in braille and on audiotape from the Secretary to the Board.

**IMPORTANT LEGAL RIGHTS ARE AT STAKE. YOU SHOULD SHOW THIS DOCUMENT TO A LAWYER AT ONCE. IF YOU CANNOT AFFORD A LAWYER, YOU MAY QUALIFY FOR FREE PRO BONO REPRESENTATION. CALL THE SECRETARY TO THE BOARD AT 717-787-3483 FOR MORE INFORMATION. YOU DO NOT NEED A LAWYER TO FILE A NOTICE OF APPEAL WITH THE BOARD.**

**IF YOU WANT TO CHALLENGE THIS ACTION, YOUR APPEAL MUST BE FILED WITH AND RECEIVED BY THE BOARD WITHIN 30 DAYS OF RECEIPT OF NOTICE OF THIS ACTION.**

During construction or upon completing construction, please contact Harmonie Hawley, PhD, PE at 484.250.5191 or [hhawley@pa.gov](mailto:hhawley@pa.gov) so that an inspection of the facilities may be conducted, at DEP's discretion.

Sincerely,



Thomas L. Magge  
Environmental Program Manager  
Clean Water Program

Enclosures

cc: Valley Township (w/o enclosures)  
West Caln Township (w/o enclosures)  
Chester County Health Department (w/o enclosures)  
Pennoni Associates Attn: Michael Ellis, PE  
Operations Section  
Central Office Division of Operations, Monitoring and Data Systems  
File



# Third Amended Appendix A-20-b

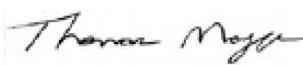
3850-PM-BCW0045f Rev. 4/2018  
Permit

Permit No. WQG02152103



COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
BUREAU OF CLEAN WATER

**WQG-02**  
**WATER QUALITY MANAGEMENT**  
**GENERAL PERMIT FOR SEWER EXTENSIONS AND PUMP STATIONS**  
**PERMIT NUMBER WQG02152103**

<p><b>A. PERMITTEE (Name and Address):</b> Valley Township Chester County PO Box 467, 1145 West Lincoln Highway Coatesville, PA 19320-0467</p> <p><b>CLIENT ID#</b> 81247</p>	<p><b>B. PROJECT/FACILITY (Name):</b> Valley Township Chester County Sewer System Country Ridge Pump Station</p> <p><b>C. LOCATION (County, Municipality):</b> Valley Township, Chester County</p>
<p><b>D. This General Permit approves the construction and operation of:</b></p> <p><input type="checkbox"/> <b>SEWER EXTENSION</b></p> <p><input checked="" type="checkbox"/> <b>PUMP STATION</b></p>	
<p><b>E. APPROVAL GRANTED BY THIS GENERAL PERMIT IS SUBJECT TO THE FOLLOWING:</b></p> <ol style="list-style-type: none"> <li>1. All construction, operations and procedures shall be in accordance with the <i>Domestic Wastewater Facilities Manual</i>. <b>Transfers:</b> In the event the permittee plans to transfer ownership of the facility to another entity, the permittee and the transferee shall submit an application for such transfer to DEP. If the transfer is approved by DEP, the transferee is subject to the terms and conditions of this General Permit.</li> <li>2. The attached conditions apply to this General Permit and are hereby made part of same.</li> </ol>	
<p><b>F. THE AUTHORITY GRANTED BY THIS PERMIT IS SUBJECT TO THE FOLLOWING FURTHER QUALIFICATIONS:</b></p> <ol style="list-style-type: none"> <li>1. If there is a conflict between the NOI or its supporting documents and amendments and the attached conditions, the attached conditions shall apply.</li> <li>2. Failure to comply with the rules and regulations of DEP or with the terms or conditions of this General Permit shall void the authority given to the permittee by the issuance of this General Permit.</li> <li>3. This General Permit is issued pursuant to the Clean Streams Law, Act of June 22, 1937, P.L. 1987, as amended 35 P.S. §691.1 <i>et seq.</i> Issuance of this General Permit shall not relieve the permittee of any responsibility under any other law.</li> </ol>	
<p><b>PERMIT ISSUED:</b> <u>February 22, 2021</u></p>	<p><b>BY:</b> <u></u></p> <p><b>TITLE:</b> <u>Clean Water Program Manager</u></p>



COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
BUREAU OF CLEAN WATER

**WQG-02**  
**WATER QUALITY MANAGEMENT**  
**GENERAL PERMIT FOR SEWER EXTENSIONS AND PUMP STATIONS**  
**PERMIT CONDITIONS**

**General**

1. DEP considers the licensed professional engineer whose seal is affixed to the design documents to be fully responsible for the adequacy of all aspects of the facility's design.
2. The approval is specifically made contingent on the permittee acquiring all necessary property rights, by easement or otherwise, providing for the satisfactory construction, operation, maintenance and replacement of all sewers or sewerage structures in, along or across private property with full rights of ingress, egress and regress.
3. If, at any time, the sewer extension and/or pump station covered by this General Permit creates a public nuisance, including but not limited to, causing malodors or causing environmental harm to waters of the Commonwealth, DEP may require the permittee to adopt appropriate remedial measures to abate the nuisance or harm.
4. The approval of the plans, and the authority granted in this permit, if not specifically extended, shall cease and be null and void 2 years from the issuance date of this permit unless construction or modification of the facilities covered by this permit has begun on or before the second anniversary of the permit date.
5. This permit does not relieve the permittee of its obligations to comply with all federal, interstate, state or local laws, ordinances and regulations applicable to the facilities.
6. This General Permit does not give any real or personal property rights or grant any exclusive privileges, nor shall it be construed to grant or confirm any right, easement or interest in, on, to, or over any lands which belong to the Commonwealth.
7. No discharge is authorized from these facilities unless approved by an NPDES Permit.

**Construction**

8. A permit or approval is required under Chapter 102 for most earth disturbance activities. A permit or registration under Chapter 105 is required for stream obstructions, crossings, etc. The permittee must secure the necessary permits, approvals or registrations under Chapters 102 and 105 prior to beginning construction.
9. Prior to beginning any construction or excavation, the locations of all utility lines must be identified through notification to the PA One Call system ([www.paonecall.org](http://www.paonecall.org)). The notification shall not be less than three nor more than 10 working days in advance of beginning the construction or excavation.
10. The local waterways conservation officer of the Pennsylvania Fish and Boat Commission (PFBC) shall be notified when the construction of any stream crossing and/or outfall is started and completed. A written permit must be secured from the PFBC if there is any use of explosives in any waterways and the permittee shall notify the local waterways conservation officer when explosives are to be used.
11. Manhole inverts shall be formed to facilitate the flow of the sewage and to prevent the stranding of sewage solids. The whole manhole structure shall be built to prevent undue infiltration, entrance of street wash or grit and provide safe access to facilitate manhole maintenance activities.
12. The facilities shall be constructed under the supervision of a Pennsylvania licensed Professional Engineer in accordance with the approved reports, plans and specifications.

13. A Pennsylvania licensed Professional Engineer shall certify that construction of the permitted facilities was completed in accordance with the application and design plans submitted to DEP, using "Post Construction Certification" (3800-PM-WSFR0179a). It is the permittee's responsibility to ensure that a Professional Engineer is on-site to provide the necessary oversight and/or inspections to certify the facilities. The certification must be submitted to DEP before the facility is placed in operation. If requested, "as-built" drawings, photographs (if available) and a description of any DEP-approved deviations from the application and design plans must be submitted to DEP within 30 days of certification. Construction must be completed within two years of permit issue date.

### **Operation and Maintenance**

14. The permittee shall maintain sewer extension and/or pump station operation and maintenance (O&M) manuals at the facility and ensure proper O&M of the permitted facility. The permittee shall file the O&M manuals with DEP upon request.
15. Stormwater from roofs, foundation drains, basement drains or other sources shall not be admitted directly to the sewer extension or pump station.
16. The sewer extension shall have adequate foundation support as soil conditions require. Trenches shall be back-filled to ensure that sewers will have proper structural stability, with minimal settling and adequate protection against breakage. Concrete used in connection with these sewers shall be protected from damage by water, freezing, drying or other harmful conditions until cured.
17. The approved sewer extensions and/or pump stations shall be maintained in good condition, kept free of deposits by flushing or other cleaning methods and repaired when necessary.
18. The sewer extension and/or pump station shall be properly operated and maintained so that the facility will perform as designed.
19. The attention of the permittee is called to the highly explosive nature of certain gases generated by the digestion of sewage solids when these gases are mixed in proper proportions with air and to the highly toxic character of certain gases arising from such digestion or from sewage in poorly ventilated compartments or sewers. Therefore, at all places throughout the facilities where hazard of fire, explosion or danger from toxic gases may occur, the permittee shall post conspicuous permanent and legible warnings. The permittee shall instruct all employees concerning the aforesaid hazards, first aid and emergency methods of meeting such hazards and shall make all necessary equipment and material accessible.
20. There shall be no physical connection between a public water supply system and a sewer or appurtenance to it which would permit the passage of any sewage or polluted water into the potable water supply. No water pipe shall pass through or come in contact with any part of the sewer extension and/or pump station.
21. Collected screenings, slurries, sludge and other solids shall be handled and disposed of in compliance with Title 25 Pa. Code, Chapters 271, 273, 275, 283 and 285 (related to permits and requirements for land filling, land application, incineration and storage of sewage sludge), Federal Regulations 40 CFR Part 257 and the Federal Clean Water Act and its amendments.



COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
BUREAU OF WATER STANDARDS AND FACILITY REGULATION

**WATER QUALITY MANAGEMENT  
POST CONSTRUCTION CERTIFICATION**

**PERMITTEE IDENTIFIER**

Permittee	Valley Township Chester County
Municipality	Valley Township
County	Chester
WQM Permit No.	<u>WQG02152103</u>
Facility Type	Sewage

**All of the above information should be taken directly from the Water Quality Management Permit.**

**CERTIFICATION**

This certification must be completed and returned to the permits section of the DEP's regional office issuing the WQM permit within 30 days of completion of the project and received by DEP prior to operation, and if requested, as-built drawings, photographs (if available) and a discussion of any DEP-approved deviations from the design plans during construction.

I, being a Registered Professional Engineer in Pennsylvania, do hereby certify to the best of my knowledge and belief, based upon personal observation and interviews, that the above facility approved under the Water Quality Management Permit has been constructed in accordance with the plans, specifications and modifications approved by DEP.

Construction Completion Date (MM/DD/YYYY): \_\_\_\_\_

<p>Engineer's Seal</p>	<b>Professional Engineer</b>
	Name _____ (Please Print or Type)
	Signature
	Date
	License Expiration Date
	Firm or Agency
	Telephone
	<b>Permittee or Authorized Representative</b>
	Name _____ (Please Print or Type)
	Signature
	Title
	Telephone



**Third Amended Appendix A-20-b**  
**SOUTHEAST REGIONAL OFFICE**  
**CLEAN WATER PROGRAM**

Application Type New  
 Facility Type Sewage  
                   General  
                   Collection  
 WQM Type Systems

**WATER QUALITY MANAGEMENT PERMIT**  
**INTERNAL REVIEW AND**  
**RECOMMENDATIONS**

Application No. WQG02152103  
 APS ID 1031999  
 Authorization ID 1342624

Applicant and Facility Information			
Applicant Name	<u>Valley Township Chester County</u>	Facility Name	<u>Valley Township Chester County Sewer System</u>
Applicant Address	<u>1145 West Lincoln Highway, PO Box 467</u> <u>Coatesville, PA 19320-0467</u>	Facility Address	<u>Old Wagontown Road</u> <u>Coatesville, PA 19320-0467</u>
Applicant Contact	<u>Janis Rambo</u>	Facility Contact	<u>Kris Lenhart</u>
Applicant Phone	<u>(610) 384-5751</u>	Facility Phone	<u>(610) 470-7083</u>
Client ID	<u>81247</u>	Site ID	<u>481242</u>
SIC Code	<u>4952</u>	Municipality	<u>Valley Township</u>
SIC Description	<u>Trans. &amp; Utilities - Sewerage Systems</u>	County	<u>Chester</u>
PA Bulletin Date	<u>Not Applicable</u>		
Purpose of Application	<u>Construction and operation of a sewage pumping station.</u>		

Internal Review and Recommendations
<p>The development consists of 51 equivalent dwelling units (EDUs) with an average daily flow of 15,300 gallons per day (gpd) going to the Country Ridge Pump Station (PS). The PS has a diameter of 6' and is 9.5' deep. The PS operates as a duplex pump system with each pump capable of handling the design flow. The capacity of a pump is 85 gallons per minute (gpm) at 121' of Total Dynamic Head (TDH). The system is equipped with alarms. The forcemain is approximately 2,000' of 4" ductile iron pipe (DIP) or SDR-26 PVC pipe, depending on the section, with a design velocity of 2.2 feet per second (fps). The forcemain discharges to the gravity sewer system at MH-13. The facility is equipped with a backup generator.</p> <p>This is an existing PS, constructed around 1992. The system does not have any open violations and the PS appears to be functioning properly. The design plans were compared to the DEP Domestic Wastewater Facilities Manual (DWFM) and appears consistent with the manual.</p>

Approve	Return	Deny	Signatures	Date
X			Harmonie Hawley, PhD, PE / Environmental Engineering Specialist	February 19, 2021
X			<b>Pravin Patel</b> Pravin C. Patel, P.E. / Environmental Engineer Manager	02/22/2021
X			 Thomas L. Magge / Program Manager	02/22/2021