

**Application of Pennsylvania-American Water Company for the Acquisition
of the Wastewater Collection and Treatment System Owned by the York City Sewer
Authority (the “Authority”) and Operated by the City of York (the “City”)
(collectively “York”)**

66 Pa. C.S. § 1329

**Application Filing Checklist – Water/Wastewater
Docket No. A-2021-3024681**

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. Please see documents attached as **Appendix A-20-e**.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

04/02/2020

ELECTRONIC MAIL

Honorable Michael R. Helfrich
Mayor
Mayor's Office
101 South George Street
York, PA 17401

Re: Clean Water Act Section 308 Information Requirement

Dear Honorable Mayor Helfrich,

Please find enclosed an Information Requirement, issued pursuant to Section 308 of the Clean Water Act (CWA), 33 U.S.C. § 1318, requiring you, in your capacity as the Mayor of the City of York, Pennsylvania, (the City or Respondent) to submit specific information to the U.S. Environmental Protection Agency (EPA). The enclosed Information Requirement relates to EPA's evaluation of the City's ownership or operation of the City of York Waste Water Treatment System, including the City of York Waste Water Treatment Plant and connected interceptors and pipes, with respect to compliance with requirements set forth in the Clean Water Act, 33 U.S.C. §§ 1342, (the CWA), regulations promulgated in accordance with the CWA or a National Pollutant Discharge Elimination System (NPDES) Permit.

EPA hereby requires that, within forty-five (45) calendar days of receipt of this letter, you, on behalf of the City, furnish to EPA, the information requested in the attached Information Requirement including all responsive documents.

The requirement to provide EPA with the requested information, in accordance with the instructions set forth in the Information Requirement, is mandatory. Failure to respond fully and truthfully to the Information Requirement, in accordance with deadlines set forth in the Information Requirement, or to adequately justify such failure to respond, may result in enforcement action by EPA, pursuant to Section 309 of the CWA, 33 U.S.C. § 1319. Please note that any submission of false, fictitious, or fraudulent statements or representations may subject you, or others assisting the City in the preparation of such submission, to criminal penalties under 18 U.S.C. § 1001.

For each and every request for information, if you, or those assisting you in preparing a responsive submission to the Information Requirement, have any reason to believe that there may be a person(s) who may be able to provide a more detailed or complete response to such request or may be able to provide additional responsive documents, then as a part of the City's response to such request, identify each such person and the additional information or documents which such person may be able to provide. Furthermore, for each request for information, if information or documents responsive to such request are not in Respondent's

possession, custody or control, then as part of your response to such request, identify such information or documents and provide the name and contact information for each person from whom such information or documents may be obtained.

Any information provided in response to the Information Requirement may be used by EPA in administrative, civil or criminal proceedings. You, on behalf of the City, may assert a business confidentiality claim covering all or part of the information required herein in the manner described in 40 C.F.R. § 2.203(b). Information covered by such a claim will be disclosed by EPA only to the extent and by means of the procedures set forth in 40 C.F.R. Part 2, Subpart B. Unless a claim of business confidentiality is asserted at the time the requested information is submitted, EPA may make this information available to the public without further notice to you or representatives of the City.

This Information Requirement is not subject to review by the Office of Management and Budget under the Paperwork Reduction Act of 1980, 44 U.S.C. Chapter 35 (See 5 C.F.R. § 1320.3(c)).

Please contact Ms. Kaitlin McLaughlin, at McLaughlin.Kaitlin@epa.gov or (215) 814-2393, if you have any questions regarding this Information Requirement. Alternatively, if the City is represented by legal counsel, such counsel may contact Kathleen Root, Sr. Assistant Regional Counsel, Office of Regional Counsel, EPA, Region III, at Root.Kathleen@epa.gov or at (215) 814-2684.

Sincerely,

KAREN
MELVIN

Digitally signed by
KAREN MELVIN
Date: 2020.04.02
15:44:48 -04'00'

Karen Melvin, Director
Enforcement and Compliance Assurance Division

Enclosure

cc: Victor Landis, PADEP, Southcentral Region
Sean Furjanic, PADEP

Henry H. Nixon, President
York City Council
101 South George St., P.O. Box 509
York, PA 17405

Mr. Don Hoyt, Esq.
Solicitor
City of York Solicitor's Office
101 South George St., P.O. Box 509
York, PA 17405

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

In the Matter of:	:	
	:	
The City of York, Pennsylvania	:	Proceeding under Section 308 of the
	:	
Michael H. Helfrich,	:	
In His Official Capacity As Mayor,	:	Clean Water Act, 33 U.S.C. § 1318
Mayor's Office	:	
City of York	:	
101 South George Street	:	
York, Pennsylvania 17401	:	INFORMATION REQUIREMENT
	:	
Respondent	:	

STATUTORY AUTHORITY

This Information Requirement is issued under the authority vested in the United States Environmental Protection Agency (EPA) by Section 308 of the Clean Water Act (CWA), 33 U.S.C. § 1318, (CWA Section 308). The Administrator of the EPA has delegated this authority to the Regional Administrator of EPA Region III who in turn has delegated it to the Director of the Enforcement and Compliance Assurance Division of EPA Region III. EPA hereby requires the Michael H. Helfrich, In His Official Capacity As Mayor of the City of York, Pennsylvania, (the City or Respondent) to provide the information specified below.

STATUTORY AND REGULATORY BACKGROUND

1. Pursuant to CWA Section 308, EPA is authorized to require owners and operators of point sources to establish records and make such reports as may be necessary to carry out the purpose of the CWA, including but not limited to:
 - a. developing or assisting in the development of any effluent limitation, or other limitation, prohibition, effluent standard, pretreatment standard, or standard of performance under the CWA;
 - b. determining whether any person is in violation of any such effluent limitation, or other limitation, prohibition or effluent standard, pretreatment standard, or standard of performance;
 - c. any requirement under CWA Section 308; and
 - d. carrying out Sections 305, 311, 402, 404, and 504 of the CWA.

2. Failure to respond as directed to a CWA Section 308 Information Requirement is punishable under the civil and criminal provisions of Section 309 of the CWA, which provide for the

assessment of penalties, injunctive relief and imprisonment. Providing misleading or false information may subject you to civil and criminal sanctions. The information you provide may be used by EPA in administrative, civil or criminal proceedings.

3. In accordance with 40 C.F.R. Part 2, Subpart B, you may assert a business confidentiality claim covering all or part of the information submitted in response to this Information Requirement. Any such claim must be submitted in the manner described in 40 C.F.R. Part 2 Subsection B. Information covered by such a claim will be disclosed by EPA only to the extent and by means of the procedures set forth in Subpart B, 40 C.F.R. Part 2. If no claim of confidentiality accompanies the response(s) to this Information Requirement when such response is received by EPA, such response may be made available to the public by EPA without further notice. You may not withhold any information from EPA on the grounds that it is confidential business information. This inquiry is not subject to review by the Office of Management and Budget under the Paperwork Reduction Act 44 U.S.C. Chapter 35. See 5 C.F.R. Section 1320.3(c).

INSTRUCTIONS

1. Provide a separate narrative response for each request for information contained in this Information Requirement and for each subpart of each request for information. Precede each narrative response with the corresponding number of the request for information to which it responds.
2. On each document produced, or on a separate cover page to such document, clearly identify the number(s) for the request(s) for information to which such document pertains or corresponds.
3. For each request for information, provide the name and title of the primary person(s) responsible for gathering, organizing and preparing the information responsive to such request.
4. For each request for information, identify each document consulted, examined, or referred to in the preparation of the response or that contains information responsive to the question, and provide a true and correct copy of each such document if not provided in response to another specific question.
5. If tabulation of data is required, or the original format of the information is a spreadsheet format, provide your response in Microsoft Excel format in both printed and electronic format.
6. If any portion of the requested information is not known, or is not available, at the time of your response to this Information Requirement, but later becomes known or available, the Respondent is required to supplement its response to EPA as soon as practicable after becoming aware of such information or documents.
7. If, at any time subsequent to the submission to EPA of any information responsive to this Information Requirement, Respondent determines that any portion of such submission is, or has become, false, incomplete, or a misrepresentation of the facts, then Respondent must provide EPA with a corrected response as soon as possible.
8. Each submission provided in response to this Information Requirement shall be signed and dated by a responsible official of Respondent and include the following certification of truth, accuracy and completeness:

“I certify that the information contained in this response to EPA's request for information and the accompanying documents is true, accurate and complete. As to the identified portions of this response for which I cannot personally verify their accuracy, I certify under penalty of law that this response and all attachments were

prepared in accordance with a system designed to assure that qualified personnel properly 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 fines and imprisonment for knowing violations.”

Signature: _____
 Name: _____
 Title: _____

9. Submit a copy of your response to the following individual:

Ms. Kaitlin McLaughlin (3ED32)
 NPDES Section, Water Branch
 Enforcement and Compliance Assurance Division
 U. S. Environmental Protection Agency
 1650 Arch Street
 Philadelphia, PA 19103-2029
 McLaughlin.Kaitlin@epa.gov

10. If you have questions regarding this Information Requirement, you may contact Ms. Kaitlin McLaughlin of the Enforcement and Compliance Assurance Division at McLaughlin.Kaitlin@epa.gov or (215) 814-2393. Alternatively, if Respondent is represented by legal counsel, such counsel may contact Kathleen Root, Sr. Assistant Regional Counsel, Office of Regional Counsel, EPA, Region III, at Root.Kathleen@epa.gov or at (215) 814-2684.

DEFINITIONS

1. The terms “Document”, “Documents” and “Documentation” shall mean any format that records, stores, or presents information, and includes writings, memoranda, records, or information of any kind, formal or informal, whether wholly or partially handwritten or typed, whether in computer format, memory, or storage device, or in hard copy, including any form or format of these types. If in computer format or memory, each such document shall be provided in a translated form useable and readable by EPA, with all necessary documentation and support. All documents in hard copy should also include: (a) a copy of each document which is not an exact duplicate of a document which is provided; (b) each copy on which there is any writing, notation, or the like; (c) drafts; (d) attachments to or enclosures with any document; and (e) every other document referred to or incorporated into each document.
2. The term “identify” with respect to a natural person means to provide that person’s name, address, telephone number, title, and relationship to Respondent. The term “identify” with respect to a business entity means to provide that entity’s name, address, and relationship to the Respondent, and to provide the name, address, telephone number, and title of an individual who can provide information related to, and on behalf of, the entity.
3. The term “City of York, Pennsylvania” or “Respondent” shall include each office, board, commission or authority of the City of York, Pennsylvania, and the City of York City Council.

INFORMATION REQUESTS

You are hereby required, pursuant to Section 308 of the CWA, 33 U.S.C § 1318, to submit the following information to EPA within forty-five (45) calendar days of receipt of this Information Requirement:

1. Please either confirm that the following statement is accurate or provide accurate information as to the person or entity that owns the infrastructure and equipment at the City of York Waste Water Treatment Plant (York WWTP) and the interceptors (conveyance) pipes (hereinafter referred to as the "York WWTP System"): The York City Sewer Authority owns the Wastewater Treatment Plant and the York WWTP System.
2. Please provide the annual operating budget for Respondent for each of the following calendar years: 2018, 2019, 2020 and 2021.
3. Please provide currently effective legislation authorizing operation, maintenance or ownership of the York WWTP or York WWTP System.
4. Please either confirm that the following statement is accurate or provide accurate information as to the person or entity (or persons or entities) that operates the York WWTP and the York WWTP System: The operation of the York WWTP and York WWTP System is leased to and operated by the City of York.
5. If the operation of the York WWTP and York WWTP System is leased to the City of York, or any other entity, please provide a copy of the current lease agreement.
6. Please identify the office, board or authority responsible for issuing bills for payment of usage fees or other fees for operation of the York WWTP or York WWTP System or collecting payments for usage of the York WWTP or York WWTP System.
7. What was, or is, the billing rate(s) for wastewater received by any portion of the York WWTP System for the following calendar years: 2018, 2019 and 2020?
8. What is the process for setting, or determining, the billing rate(s) for wastewater received by any portion of the York WWTP System?
9. What are the various types of revenue received by the City of York that may be spent to operate, including maintain, any portion of the York WWTP System?
10. With respect to York WWTP System billing revenue, during the calendar years of 2018, 2019 and 2020, how was, or is, such billing revenue appropriated by the City of York?
11. With respect to the York WWTP System, please provide the names and titles of the individuals who had, or have, the authority to adjust rates and/or approve budgets during the calendar years of 2018, 2019 and 2020.
12. The Annual Financial Report for the City of York, for the year ended December 31, 2017 is available at: <https://www.yorkcity.org/wp-content/uploads/2019/07/2017-98762-Financial-Statements-2017-FS-1217-City-of-York-6272019.pdf>. The Management's Discussion and Analysis portion of this report includes the following information: "A portion of the wastewater that flows to the WWTP from other municipalities is transported through the City sewer interceptor system. Each township pays the City \$.04 per thousand gallons for the wastewater that flows through the City system from the municipality." With respect to wastewater or stormwater that flows to the York WWTP from other municipalities, please provide the following information:

- a. Please provide a map depicting each pipe or conveyance that is part of the York WWTP System and either owned or leased by the City of York;
 - b. Currently, how many connections are there to the York WWTP System?
 - c. Please provide a map depicting the location of each connection to the York WWTP System and identifying the owner or lessee of such connection;
 - d. Please provide the current rate(s) for establishing a new connection to the York WWTP System; and
 - e. Please provide a detailed explanation of how the current connection rate is determined and the process for notifying users of this rate.
13. Please provide the following information relating to the workforce at the York WWTP:
- a. Currently, how many employees are employed to work at the York WWTP?
 - b. Please describe the process for hiring a person to work at the York WWTP, including the names and titles of the persons who have authority to hire a new employee. Please clearly indicate whether persons who work at the York WWTP are employed by the City of York, the York City Sewer Authority or another entity; and
 - c. Please describe the process for determining payroll and benefit decisions for persons who work at the York WWTP, including the names and titles of the persons who have the authority to make decisions concerning the rate of pay and benefits for York WWTP employees.
14. Please provide a copy of any capital improvement plan(s), or long-term plan(s) relating to improvements, which relates to the York WWTP and is currently effective. Please provide the date(s) on which any such plan(s) became effective or was modified.
15. For each on-going York WWTP, or York WWTP System, improvement project, which is addressed by any currently effective long-term improvement plan, or is otherwise currently being undertaken, please provide the following information:
- a. A detailed summary of the work to be completed as part of the project;
 - b. The name of any contractor which is currently undertaking the work for such project;
 - c. The process for hiring, or agreeing upon, a contractor to undertake the on-going project;
 - d. A detailed summary of the funding source for such on-going project and a summary of the amount of money that: i) has been spent, ii) is planned to be spent in the future and iii) was allotted for the project prior to initiation of work; and
 - e. The time period during which the project is planned to be undertaken, including the beginning date and the currently planned date of completion.
16. For each future York WWTP or York WWTP System project addressed by any currently effective long-term improvement plan, or otherwise planned to be undertaken, please provide the following information:
- a. A detailed summary of the work to be completed as part of the project;
 - b. The name of any contractor, if any, which has been selected, or hired, to undertake the work for such project;
 - c. The process for hiring, or agreeing upon, a contractor to undertake such future improvement project;

- d. A detailed summary of the funding source for such future improvement project and a summary of the amount of money that: i) has been spent, ii) is planned to be spent in the future and iii) was allotted for the project prior to initiation of work; and
 - e. The time period during which the project is planned to be undertaken, including the beginning date and the currently planned date of completion.
17. The public website for the York City Sewer Authority, found at <https://www.yorkcity.org/government/authorities-boards-and-commissions/sewer-authority-board/>, states: "A typical meeting would include a review of various fund balances (Clearing Fund, Debt Service Reserve Fund, Bond Redemption & Improvements Fund and the Construction Fund), the authorization to pay invoices, discussion concerning future and current projects, a plant report, a legislative action report and the Engineer's report." The Annual Financial Report for the City of York, for the year ended December 31, 2017 is available at: <https://www.yorkcity.org/wp-content/uploads/2019/07/2017-98762-Financial-Statements-2017-FS-1217-City-of-York-6272019.pdf>. This statement provides limited information relating to the Intermunicipal Sewer Fund, the Sewer Fund and the Sewer Transportation Fund. Please provide a copy of any financial statement(s), or other documentation, relating to the York WWTP or York WWTP System, which provides any detailed financial information for the calendar, or fiscal, years covering 2018 through the present. At a minimum, this request includes a request for financial statements and other documentation describing or summarizing each of the above-named funds.

EFFECTIVE DATE

This INFORMATION REQUIREMENT is effective upon receipt.

Date: 04/02/2020

KAREN MELVIN
 Digitally signed by KAREN MELVIN
 Date: 2020.04.02 15:43:38 -04'00'

Karen Melvin, Director
 Enforcement and Compliance Assurance Division

THE CITY OF YORK, PENNSYLVANIA

MAY 22, 2020

**RESPONSE TO U.S. EPA'S APRIL 2, 2020
REQUEST FOR INFORMATION
PURSUANT TO CWA SECTION 308**

GENERAL RESPONSES AND OBJECTIONS

The general objections set forth below are intended to be continuing throughout the specific responses, even when not specifically repeated in a given response.

1. The City of York, Pennsylvania ("City of York" or "the City") objects to these Requests to the extent they are beyond the scope of EPA's authority under Section 308 of the Clean Water Act
2. The City objects to these Requests to the extent they are overbroad and impose an undue burden on City of York.
3. The City objects to these Requests to the extent they call for the production of publicly available documents or information that is already in the possession of EPA.
4. The City objects to these Requests to the extent they use terms that are not defined, and therefore not susceptible to a clear and definite answer.
5. The City objects to these Requests to the extent they are ambiguous or confusing and therefore not susceptible to a clear and definite answer.
6. The City objects to these Requests to the extent that they require City of York to form, reach or set forth a legal conclusion.
7. The City objects to these Request to the extent that they seek the provision of information or the production of documents that are not in the City's possession, custody or control. The City also objects to these Requests to the extent they seek to require the City to furnish information that is not available to its current employees and agents
8. The City objects to the Definition in the Requests of "City of York, Pennsylvania" and "Respondent" as including each officer, board, commission or authority of the City of York and the City of York City Council to the extent it includes persons, board and commissions that are not reasonably related to any request authorized under the Clean Water Act, and to the inclusion of any board, commission or authority that is independent of and/or not under the direct control of, the City.
9. The City objects to the Instruction in the Requests to identify the person primarily responsible for gathering, organizing and preparing responsive information when a Request does not require the gathering, organizing and preparing of information.
10. The City objects to the Instruction in the Requests to identify and provide a copy

of all documents consulted or examined in the preparation of these Responses, even where such document does not contain responsive information. The City is only providing documents that contain responsive information.

11. The City objects to these Requests to the extent they call for the production of attorney-client privileged or work product protected information, or information subject to other privileges or protections of federal or state law.

Without waiving the foregoing objections, and reserving all rights to assert these and all other applicable objections in the future, the City provides the following specific responses to the Request for Information:

Requests

1. Please either confirm that the following statement is accurate or provide accurate information as to the person or entity that owns the infrastructure and equipment at the City of York Waste Water Treatment Plant (York WWTP) and the interceptors (conveyance) pipes (hereinafter referred to as the "York WWTP System"): The York City Sewer Authority owns the Wastewater Treatment Plant and the York WWTP System.

The City confirms the statement is accurate.

2. Please provide the annual operating budget for Respondent for each of the following calendar years: 2018, 2019, 2020 and 2021.

The City of York objects to this Request as vague and ambiguous as drafted, as it is unclear whether EPA is seeking budgetary information from the City of York as a whole, or just as pertaining to the York WWTP System. Further, the City of York objects to this Request as it calls for the production of publicly available documents. Subject to and without waiving these objections, or the General Objections, the City of York responds as follows:

The City of York is producing copies of the City of York, Pennsylvania's annual operating budget for years 2018, 2019, and 2020. See documents produced in response to this Request. The City is not producing the annual operating budget for 2021, as preparation of same has not begun and the document does not exist.

The foregoing was prepared by Thomas A. Ray, Business Administrator for the City of York.

3. Please provide currently effective legislation authorizing operation, maintenance or ownership of the York WWTP or York WWTP System.

The City of York objects to this Request as vague and ambiguous as drafted, as the meaning of "legislation" is unclear. Subject to and without waiving this objection, or the General Objections, the City of York responds as follows:

The City identifies the Pennsylvania Municipal Authorities Act, 53 Pa. C. S. Chapter 56

The City is also producing copies of the following ordinances and documents:

- a. **Articles of Incorporation of the York City Sewer Authority, October 20, 1950**
- b. **Resolution, regarding York City Sewer Authority, February 1, 1977**
- c. **Resolution, regarding York City Sewer Authority, April 19, 2010**
- d. **Article 931 - Sanitary Sewers**
- e. **Article 932 - Plumbing Requirements**
- f. **Article 933 - Sewer Rentals**

See documents produced in response to this Request.

The foregoing was prepared by Jason R. Sabol, Esq., City of York Assistant Solicitor.

4. Please either confirm that the following statement is accurate or provide accurate information as to the person or entity (or persons or entities) that operates the York WWTP and the York WWTP System: The operation of the York WWTP and York WWTP System is leased to and operated by the City of York.

The City confirms the statement is accurate.

5. If the operation of the York WWTP and York WWTP System is leased to the City of York, or any other entity, please provide a copy of the current lease agreement.

The City is producing a copy of the lease agreement and supplements thereto. See documents being produced in response to this Request.

The foregoing was prepared by Jason R. Sabol, Esq., City of York Assistant Solicitor.

6. Please identify the office, board or authority responsible for issuing bills for payment of usage fees or other fees for operation of the York WWTP or York WWTP System or collecting payments for usage of the York WWTP or York WWTP System.

The City's Department of Business Administration's Bureau of Finance is responsible for the issuing of bills for payment of usage fees or other fees related to the York WWTP. As of January 1, 2020, the Office of the City Treasurer is responsible for the collection all revenue received by the City including payments for usage. The City, in conjunction with the York Water Company, initiates water shut off procedures for the non-payment of WWTP usage fees.

The foregoing was prepared by Thomas A. Ray, Business Administrator for the City of York.

7. What was, or is, the billing rate(s) for wastewater received by any portion of the York WWTP System for the following calendar years 2018, 2019, and 2020?

2018 – City of York residents/businesses

**Annual Sanitary Sewer Rates - \$9.10 per 1,000 gallons
Sewer Rent or Industrial Rate Charge - \$9.10 per 1,000 gallons**

2019 – City of York residents/businesses

**Annual Sanitary Sewer Rates - \$9.10 per 1,000 gallons
Sewer Rent or Industrial Rate Charge - \$9.10 per 1,000 gallons**

2020 – City of York residents/businesses

**Annual Sanitary Sewer Rates - \$9.10 per 1,000 gallons
Sewer Rent or Industrial Rate Charge - \$9.10 per 1,000 gallons**

The foregoing was prepared by Thomas A. Ray, Business Administrator for the City of York.

8. What is the process for setting, or determining, the billing rate(s) for wastewater received by any portion of the York WWTP System?

The Budget Team makes recommendations to the Mayor, with input from the Public Works Director and Budget Team, and may recommend a change to the billing rate(s) for the WWTP based on operational and/or capital improvement needs. Billing rates are established by ordinances, enacted by the City Council.

The foregoing was prepared by Thomas A. Ray, Business Administrator for the City of York.

9. What are the various types of revenue received by the City of York that may be spent to operate, including maintain, any portion of the York WWTP System?

The types of revenue received by the City of York that may be spent to operate, including maintaining, any portion of the WWTP, includes, sanitary sewer rates, sewer rent or industrial rate charge(s), and treatment charges to the connected municipalities, sewage permit fees, electric demand response rebates at the WWTP, sample/analytical fees, surcharge fees and interest earned.

The foregoing was prepared by Thomas A. Ray, Business Administrator for the City of York.

10. With respect to York WWTP System billing revenue, during the calendar years of 2018, 2019 and 2020, how was, or is, such billing revenue appropriated by the City of York?

Each year the calculation for projected sewage treatment costs is completed using a five year average flow, estimated expenditure budget for the operation of the WWTP less offsetting revenue (sewage permit fees, electric demand response, sample/analytical fees, surcharge fees and interest earned). The estimated cost per 1000 gallons is used to determine the amounts due from the municipalities, including the City. The billing revenue from our sewer customers goes towards the payment of the City's share of costs to operate the York WWTP, as appropriated via the City's annual budget.

See calculation spreadsheet being produced in response to this Request for 2018 and 2020. A similar spreadsheet for 2019 was not available as of the date of this response.

The foregoing was prepared by Thomas A. Ray, Business Administrator for the City of York.

11. With respect to the York WWTP System, please provide the names and titles of the individuals who had, or have, the authority to adjust rates and/or approve budgets during the calendar years of 2018, 2019 and 2020.

2018

Michael Helfrich, Mayor with approval from City Council
Henry Hay Nixon, Council President
Michael Buckingham, Councilmember
Edquina Washington, Councilmember
Judy Ritter-Dixon, Councilmember
Sandie Walker, Councilmember

2019

Michael Helfrich, Mayor with approval from City Council
Henry Hay Nixon, Council President
Michael Buckingham, Councilmember
Edquina Washington, Councilmember
Judy Ritter-Dixon, Councilmember
Sandie Walker, Councilmember

2020

Michael Helfrich, Mayor with approval from City Council
Henry Hay Nixon, Council President
Louis Rivera, Councilmember
Edquina Washington, Councilmember
Judy Ritter-Dixon, Councilmember
Sandie Walker, Councilmember

The foregoing was prepared by Thomas A. Ray, Business Administrator for the City of York.

12. The Annual Financial Report for the City of York, for the year ended December 31, 2017 is available at: <https://www.yorkcity.org/wp-content/uploads/2019/07/2017-98762-Financial-Statements-2017-FS-1217-City-of-York-6272019.pdf> The Management’s Discussion and Analysis portion of this report includes the following information: “A portion of the wastewater that flows to the WWTP from other municipalities is transported through the City sewer that flows through the City system from the municipality.” What respect to wastewater or stormwater that flows to the York WWTP from other municipalities, please provide the following information:

By way of initial response, the City responds that the York WWTP System conveys only sanitary sewage, not stormwater, as stormwater is collected by a separate system.

- a. Please provide a map depicting each pipe or conveyance that is part of the York WWTP System and either owned or leased by the City of York;

The City objects to the Request for a map depicting each pipe associated with the York WWTP System as overbroad and unduly burdensome. Without waiving said objection, the City responds that a map entitled “City of York Regional Sanitary Sewer System” is being produced.

- b. Currently, how many connections are there to the York WWTP System?

The City objects to this Request as the term “connection” is not defined. Without waiving said objection, the City has approximately 18,500 sewer connections. The City maintains approximately 110 miles of pipes. While the exact number of connections from other municipalities is unknown, the following table provides information on the approximate usage of other connected Municipalities.

Flow Allocation, April 2020

Municipality	Average Daily flow (in MG)
City of York	3.52
Manchester Township	1.22
North York Borough	0.12
Spring Garden Township	0.98
Springettesbury Township	During rain events only
West Manchester Township	1.3
West York Borough	1.26
York Township	1.7
Total	10.1

- c. Please provide a map depicting the location of each connection to the York WWTP System and identifying the owner or lessee of such connection;

The City objects to this Request as the term “connection” is not defined. The City further objects to this Request to the extent it is calling for the identification of each resident, property owner and business entity with a connection to the York WWTP System. Without waiving these objections, the City is producing a map entitled “City of York Sanitary Sewer System Map.”

- d. Please provide the current rate(s) for establishing a new connection to the York WWTP System; and

The current rate for establishing a new connection to the York WWTP system is \$500.

- e. Please provide a detailed explanation of how the current connection rate is determined and the process for notifying users of this rate.

The information is published for users in the City of York Fee Schedule that is posted online and available in the City’s Permits, Planning and Zoning Department.

The foregoing was prepared by Chaz Green, Director of Public Works for the City, and by Thomas A. Ray, Business Administrator for the City.

13. Please provide the following information relating to the workforce at the York WWTP:

a. Currently, how many employees are employed to work at the York WWTP?

Division	2020 Filled Positions	2020 Budgeted Positions
Wastewater Treatment Plant	27	32
Municipal Industrial Pretreatment Program	1	2
Collection System	7	7
Total	35	41

b. Please describe the process for hiring a person to work at the York WWTP, including the names and titles of the persons who have authority to hire a new employee. Please clearly indicate whether persons who work at the York WWTP are employed by the City of York, the York City Sewer Authority or another entity; and

Persons who work at the York WWTP are employed by the City of York. The hiring process begins with a request from the Public Works Director to fill a vacant position. After receiving a request to fill a position, an Office of Human Resources (HR) Generalist prepares and submits a Personnel Requisition to the Mayor, Public Works Director and Business Administrator to begin the recruit process.

Pursuant to the collective bargaining agreement, the hiring process for Union positions follows the below process:

When a vacant position within the bargaining unit is to be filled, the City shall place an announcement of the vacancy on bulletin boards in designated locations; provided, however, the City maintains exclusive right to determine: (1) if a vacancy exists; (2) whether to post that vacancy; and (3) whether to fill that vacancy after posting. The City has no duty to post any unfilled job classifications listed in the collective bargaining agreement. All announcements of positions to be filled shall be posted for fourteen (14) calendar days and shall be subject to the following provisions:

Any eligible bargaining unit member may submit a bid with all supporting documents required by the City, which shall be made available to bargaining unit members, for the announced vacancy and shall submit an application on forms designated by the City, within fourteen (14) calendar day period. Failure by the applicant to submit the City designated application and supporting documentation shall automatically disqualify the member from further consideration. A member with active discipline, (suspension without pay) in his or her official personnel file

shall be prohibited from bidding on any vacant position. For the purpose of this Article "active discipline" shall be defined as six (6) months from the date of issuance of the suspension without pay. A member must complete his or her initial probationary period (new hire probationary period) to be eligible to submit a bid for a promotion or transfer.

The City shall consider an applicant's seniority and qualifications necessary for the position and if, as determined by the City, no current bargaining unit employee is qualified, the City shall consider other qualified applicants.

If an employee requests a transfer from one job within the bargaining unit to another job within the bargaining unit in a different department/bureau and if a vacancy exists, the employee shall be transferred to that position provided he has the ability as determined by the City and seniority to perform the work required in the classification. A transfer, if effected, shall be without loss of seniority in the employee's classification.

If the successful employee fails to sufficiently perform the duties of the new position to which he/she was appointed pursuant to the bidding process set forth in this Article, the employee shall be returned to his or her former position that he/she occupied prior to being awarded the new position. If another employee occupies the employee's former position, the other employee also shall be returned to his/her former position so that the employee may return to his/her prior position. This other employee shall similarly have rights to "bump" an employee who has filled his/her former position. This bumping shall continue as necessary to restore employees to their former positions. A new hire who is the final employee in this bumping process, and who has been hired to replace an employee who had transferred into another position, may be discharged from employment with the City without recourse to the grievance procedure.

An employee who on two (2) occasions fails to sufficiently perform his/her duties while in a probationary period, may not bid on a vacant position for a period of one (1) year from the date of the employee's most recently accepted bid.

Any employee who bids for and is accordingly awarded a vacant position may request to be transferred back to his/her prior position within ten (10) working days from his/her first working day in the new position, and such request shall be honored by the City. Only one (1) such request from each employee shall be honored by the City during that employee's employment with the City.

External Hiring Procedure:

After the internal bidding process is completed and no internal bids are received and/or it was determined the internal applicant did not meet the minimum job requirements for the position, the City begins an external job search. The external job search includes the posting of a vacancy announcement on the City's on-line application cite (NEOGOV) that additionally posts all vacancy announcements on governmentjobs.com. The positions are advertised nationwide for at least a two-week period.

The HR Generalist makes an initial screening of all applications and determines which applications are to be forwarded to the subject matter expert (SME) for further consideration. The City is limited in its pool of applicants by local ordinance Article 165.07 which requires City employees to be residents of the City. Once the best qualified applicants have been identified, a panel interview is scheduled. The panel consists of three (3) panelists (Public Works Director, WWTP General Manager and a WWTP Supervisor). Each applicant interviewed is asked the same set of pre-determined questions based on the requisite knowledge, skills and abilities needed for the position. Each question is scored individually by interviewers and then the interviewers review their scores as a group to ensure that all scores for each question are within two (2) points of the each other for smoothing purposes. The scores are tabulated, and the candidates are ranked in order of highest to lowest scores. The ranking is sent to the Public Works Director and WWTP General Manager for review. After consultation with the WWTP General Manager, the Public Works Director will make a recommendation to the Mayor about the applicant that should be given an offer letter. Upon the Mayor's approval, an offer letter is sent to the recommended candidate. The conditional offer of employment is contingent on the candidate passing a background check, drug screen and providing a Pennsylvania Child Abuse History Clearance showing "no record found." Once these requirements have been met a start date is established.

- c. Please describe the process for determining payroll and benefit decisions for persons who work at the York WWTP, including the names and titles of the persons who have the authority to make decisions concerning the rate of pay and benefits for York WWTP employees.

The rates of pay and benefits for Union positions are decided by the collective bargaining process and made part and parcel of the collective bargaining agreement. Non-union employee rates of pay are determined by the City Compensation Policy. Benefits for non-union employees are determined by administration and are similar to those of the union employees. The final decision maker(s) for pay rates and benefits for Non-union employees is the Mayor. Pay adjustments for Non-Union employees are included in each proposed operating budget submitted to City Council by the second meeting of November of each preceding year the budget takes effect.

The foregoing responses were prepared by Thomas A. Ray, Business Administrator for the City.

14. Please provide a copy of any capital improvement plan(s), or long-term plan(s) relating to improvements, which relates to the York WWTP and is currently effective. Please provide the date(s) on which any such plan(s) became effective or was modified.

See document being produced, regarding the capital improvement/long-term plan effective March 10, 2020.

15. For each on-going York WWTP, or York WWTP System, improvement project, which is addressed by any currently effective long-term improvement plan, or is otherwise currently being undertaken, please provide the following information:
- a. A detailed summary of the work to be completed as part of the project;
 - b. The name of any contractor which is currently undertaking the work for such project;
 - c. The process for hiring, or agreeing upon, a contractor to undertake the on-going project;
 - d. A detailed summary of the funding source for such on-going project and a summary of the amount of money that: i) has been spent, ii) is planned to be spent in the future and iii) was allotted for the project prior to initiation of work; and
 - e. The time period during which the project is planned to be undertaken, including the beginning date and the currently planned date of completion.

The City objects to this Request to the extent it calls for information primarily maintained by the York City Sewer Authority. Without waiving this objection, the City responds as follows:

1. York City Sewer Authority Primary Clarifier Upgrade Project

- a. **This project includes the replacement of collector mechanisms, screw conveyors and scum skimming equipment on existing primary clarifiers 1-5. Buchart Horn, the York City Sewer Authority's engineer, can provide complete construction specifications at EPA's request.**
- b. **CPP Construction Company, Inc.**
- c. **The contract was led by the York City Sewer Authority through a sealed bid process consistent with the Pennsylvania Municipal Authorities Act.**
- d. **The Capital Improvements Plan "CIP" estimated this project cost at \$1,300,000.00. This will be paid from the York City Sewer Authority's Bond Redemption and Improvement Fund and/or an approved loan from PNC Bank closed in December 2019. The total engineering fee for the project design, bidding, and construction management is \$91,000 of which \$64,459.35 has been paid. The contract amount is \$956,000.00. There is an approved change order in the amount of \$63,637.00. To date, no funds have been paid to the contractor.**

e. Notice to Proceed was issued on or about January 16, 2020. The contract is to be substantially complete within 180 days.

2. York City Sewer Authority Effluent Filter Replacement Project

a. This project will replace the existing traveling bridge sand filters that were installed in 1985 with Aqua Aerobics cloth media filter. The new filtration system retrofits into the existing channels of the sand filters with minimal structural work necessary. The project will utilize four filtration channels of the five original channels due to the increased efficiency of the new cloth filter technology. Buchart Horn, the York City Sewer Authority's engineer, can provide complete construction and material specifications at EPA's request.

b. The product is being purchased from Aqua-Aerobic Systems, Inc. The General Contractor and the Electrical Contractor is PSI Pumping Solutions, Inc. The Mechanical Contractor is Garden Spot Mechanical, Inc.

c. The Aqua-Aerobic Systems, Inc. contract for the product was let by the Authority through CoStars. The General Contract, the Electrical Contract, and the Mechanical Contracts were let through a sealed bid process consistent with the Pennsylvania Municipal Authorities Act.

d. The CIP estimated this project cost at \$7,500,000.00. The project will be paid from the York City's Sewer Authority's Bond Redemption and Improvement Fund, an approved loan from PNC Bank closed in December 2019, and/or a PennVEST loan expected to close in August 2020. The total engineering fee for the project design, bidding, and construction management is \$505,000.00, of which \$254,363.76 has been paid. The Aqua-Aerobics contract is in the amount of \$4,016,624.00. The General Contract is in the amount of \$1,060,550.00. The Electrical Contract is in the amount of \$274,000.00. The Mechanical Contract is in the amount of \$120,000.00. No monies have been paid to date to Aqua-Aerobics, the General Contractor, the Electrical Contractor, or the Mechanical Contractor.

e. The Aqua-Aerobics contract was signed on or about January 24, 2020. The material is expected to be delivered in parts between June 12 and the end of July, 2020. Notice to Proceed is expected to be issued to the General Contractor and the Electrical Contractor on or about May 8, 2020. The estimated contract time is 365 days. Notice of Intent to Award was given to the Mechanical Contractor on April 16, 2020. It is anticipated that Notice to Proceed will be issued in mid-May 2020 with substantial completion within 365 days.

3. York City Sewer Authority Prospect Street Interceptor Replacement

a. This project will upsize the existing interceptor from 12 to 18 inches to better handle current wet weather events and to provide capacity for future growth.

- b. A contractor has not been selected for this project.
- c. A contractor will be selected by the York City Sewer Authority through a sealed bid process consistent with the Pennsylvania Municipal Authorities Act.
- d. Engineering fees for design and bidding are \$101,400.00. The project is estimated to cost \$800,000.00. No monies have been paid to date for this project. The project will be paid by the Authority from funds received from the connected municipalities utilizing the Interceptor.
- e. The Authority authorized an engineering proposal to begin design on April 15, 2020 done. Design and bidding is expected to take 90 days. The length of time of the construction contract is currently unknown.

The foregoing was prepared by the York City Sewer Authority.

16. For each future York WWTP or York WWTP System project addressed by any currently effective long-term improvement plan, or otherwise planned to be undertaken, please provide the following information:
- a. A detailed summary of the work to be completed as part of the project;
 - b. The name of any contractor, if any, which has been selected, or hired, to undertake the work for such project;
 - c. The process for hiring, or agreeing upon, a contractor to undertake such future improvement project;
 - d. A detailed summary of the funding source for such future improvement project and a summary of the amount of money that: i) has been spent ii) is planned to be spent in the future and iii) was allotted for the project prior to initiation of work; and
 - e. The time period during which the project is planned to be undertaken, including the beginning date and the currently planned date of completion.

The City objects to this Request to the extent it calls for information primarily maintained by the York City Sewer Authority. Without waiving this objection, the City responds as follows:

1. York City Sewer Authority Supervisory Control And Data Acquisition system (SCADA) Project

- a. The project will consist of upgrading the SCADA system for the entire WWTP with the installation and configuration of SCADA software on new redundant servers. The existing PLC system will be maintained with new screens provided to match screens

on the current PPS system. Logic changes will be required to the existing PLC system for communications to the new SCADA system and the data base will be configured to prioritize system alarms with the most critical alarms having the highest priority. The final step in the upgrade will be the verification of all inputs and outputs on the PLC system and the SCADA system.

- b. Control Systems 21 will provide the majority of the professional services to upgrade and program this technology system with Buchart Horn providing management and oversight roles on behalf of the Authority.
- c. Control Systems 21 has provided previous services related to the SCADA system. The York City Sewer Authority is expected to enter into an agreement for professional services with Control Systems 21 upon recommendation of Buchart Horn, its engineer, and Plant staff. Necessary materials and equipment will be purchased through CoStars.
- d. The CIP estimates \$750,000.00 for this project. The Authority will pay for the project from its Bond Redemption and Improvement Fund and/or the 2019 PNC bank loan. To date no funds have been spent on this project.
- e. It is expected that the Authority will receive and approve proposals for this work in mid-May 2020. It is expected that the project will take 120 days to complete.

2. York City Sewer Authority Interceptor Master Plan

- a. This project involves the creation of a major comprehensive for the collection and conveyance interceptor systems for all of the municipalities that are tributary to the York City WWTP. The plan will include the following: a detailed demographic analysis for each of the connected municipalities including 10, 20, and ultimate growth conditions; the reassessment of all intermunicipal connection points (metered and unmetered) and recommendations on metering connections that are currently unmetered; the development of more accurate collection and conveyance systems maps of the entire collection and conveyance system; and alternative analysis for improvements for capacity constrained interceptors including the Codorus Creek Interceptor, Poorhouse Run Interceptor, and the Tyler Run Interceptor.
- b. This planning project will be completed by the Authority's engineer Buchart Horn.
- c. Buchart Horn has been the Authority's engineer for many decades and was selected for this project due to its existing knowledge of the interceptor system.
- d. The fee for this project is \$93,700.00.
- e. The Authority authorized the proposal to proceed on April 15, 2020. It is expected to take 6 months.

3. WWTP Digester Tank Cleaning Project

- a. This project is for clean out of accumulated solid material and debris in each of the three digester tanks. One digester tank was completed in March 2020, and the other digester tanks are anticipated to be addressed in 2021 and 2022 (one tank in each year). The cleaning is primarily accomplished through use of a vacuum truck. The purpose is to address and avoid reductions in the capacity of the tanks from accumulated material, and also prepare for a potential future project to optimize biogas production.
- b. The work on the first tank was performed by Kline's Services. A contractor for the work on the second and third tanks has not yet been selected.
- c. The contractor for the first tank was selected by requesting proposals from three known local vendors, and selecting the lowest-cost qualified proposal.
- d. The project was paid out of funds budgeted to the wastewater treatment plant for contractual services. The cost for the first tank was approximately \$180,000. No funds have yet been budgeted for the second and third tanks.
- e. Subject to the availability of budgeted funds, it is anticipated that the cleaning of all three digester tanks will be completed in 2022.

Items 1 and 2 were prepared by the York City Sewer Authority; item 3 was prepared Chaz Green, Director of Public Works for the City

17. The public website for the York City Sewer Authority, found at <https://www.yorkcity.org/government/authorities-boards-and-commissions/sewer-authority-board/>, states: "A typical meeting would include a review of various fund balances (Clearing Fund, Debt Service Reserve Fund, Bond Redemption & Improvements Fund and the Construction Fund), the authorization to pay invoices, discussion concerning future and current projects, a plant report, a legislative action report and the Engineer's report." The Annual Financial Report for the City of York, for the year ended December 31, 2017 is available at: <https://www.yorkcity.org/wp-content/uploads/2019/07/2017-98762-Financial-Statements-2017-FS-1217-City-of-York-6272019.pdf>. This statement provides limited information relating to the Intermunicipal Sewer Fund, the Sewer Fund and the Sewer Transportation Fund. Please provide a copy of any financial statement(s), or other documentation, relating to the York WWTP or York WWTP System, which provides any detailed financial information for the calendar, or fiscal, years covering 2018 through the present. At a minimum, this request includes a request for financial statements and other documentation describing or summarizing each of the above-named funds.

See City budgets produced in response to Request #2. See also documents being produced in response to this Request:

- a. **Spreadsheet showing budget, revenue and expense information for the Intermunicipal Sewer Fund, Sewer Fund and the Sewer Transportation Fund, for 2018, 2019 and 2020 to-date.**
- b. **RKL Accountant's Compilation Reports for the York City Sewer Authority for December 2018, December 2019, and April 2020.**

The foregoing responses were prepared by Thomas A. Ray, Business Administrator for the City and the RKL Accountant's Compilation Reports were provided by the York City Sewer Authority.

CERTIFICATION

I certify that the information contained in this response to EPA's Request for Information, and the accompanying documents, is true, accurate and complete. As to the identified portions of these responses for which I cannot personally verify their accuracy, which includes all answers that are identified as having been prepared by a person other than myself, I certify under penalty of law that this response and all attachments were prepared in accordance with a system designed to assure that qualified personnel properly 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 fines and imprisonment for knowing violations.

Signature:  _____

Name: Michael Helfrich

Title: Mayor, City of York

THE CITY OF YORK, PENNSYLVANIA

MAY 22, 2020

RESPONSE TO U.S. EPA'S APRIL 2, 2020
REQUEST FOR INFORMATION
PURSUANT TO CWA SECTION 308

List of Documents Produced

Response to Request No. 2:

1. City of York 2018 Approved Budget
2. City of York 2019 Approved Budget
3. City of York 2020 Approved Budget

Response to Request No. 3:

1. Article 931 – Sanitary Sewers Ordinance
2. Article 932 – Plumbing Requirements Ordinance
3. Article 933 – Sewer Rentals Ordinance
4. Resolution Adopting Amendment of Articles of Incorporation, February 1, 1977
5. York City Sewer Authority Amendment to Articles of Incorporation, May 21, 2010
6. York City Sewer Authority Articles of Incorporation, October 20, 1950

Response to Request No. 5:

1. September 15, 1987 Lease and Supplements between York City Sewer Authority and City of York
2. Ninth Supplemental Lease between York City Sewer Authority and City of York, December 10, 2019

Response to Request No. 10:

1. Calculation Worksheet for Projected 2018 and 2020 Sewage Treatment Cost

Response to Request No. 12:

1. City of York Regional Sanitary Sewer System Map
2. City of York Sanitary Sewer System Map

Response to Request No. 14:

1. York Sewer Authority, York City Wastewater Treatment Plant Capital Improvement Plan Review Priority Projects Listing

Response to Request No. 17:

City Fund Revenue and Expenditures

2018

60 – Sewer Fund

Expenditures

1. 2018 Expenditures 60-210 Finance
2. 2018 Expenditures 60-420-00141 Public Works – Flood Pumping Stations
3. 2018 Expenditures 60-420-00332-Public Works-York County Chesapeake Bay Pollution Reduction
4. 2018 Expenditures 60-420-70240-Public Works-Utilities-WWTP (with corrections)
5. 2018 Expenditures 60-420-70241-Public Works-Utilities-MIPP (with corrections)
6. 2018 Expenditures 60-420-70242-Public Works-Utilities-Sanitary Sewer Maintenance
7. 2018 Expenditures 60-420 Public Works
8. 2018 Expenditures 60-422-00004-Sanitary Sewer Maintenance-Preventative Maintenance
9. 2018 Expenditures 60-422-00005-Sanitary Sewer Maintenance-Construction Repair Work

10. 2018 Expenditures 60-422-00006-Sanitary Sewer Maintenance-Inflow Infiltration
11. 2018 Expenditures 60-442-00007-Sanitary Sewer Maintenance-PA One Calls
12. 2018 Expenditures 60-442-00141-Sanitary Sewer Maintenance-Flood Pumping Stations
13. 2018 Expenditures 60-422 Sanitary Sewer Maintenance

Revenue

1. 2018 Revenue 60-210 Finance – Manchester Township
2. 2018 Revenue 60-210 Finance – North York Borough
3. 2018 Revenue 60-210-00021 Finance – Spring Garden Township
4. 2018 Revenue 60-210-00022 Finance – Springettsbury Township
5. 2018 Revenue 60-210-00023 Finance – West Manchester Township
6. 2018 Revenue 60-210-00024 Finance – West York Borough
7. 2018 Revenue 60-210-00025 Finance – York Township
8. 2018 Revenue 60-210 Finance

61 – Intermunicipal Sewer Fund

Expenditures

1. 2018 Expenditures 61-210 Finance
2. 2018 Expenditures 61-420-70240 Public Works-Utilities-WWTP (with corrections)
3. 2018 Expenditures 61-420-70241-Public Works-Utilities-MIPP (with corrections)
4. 2018 Expenditures 61-420 Public Works
5. 2018 Expenditures 61-422 Building & Electrical

6. 2018 Expenditures 61-00000-WWTP
7. 2018 Expenditures 61-440-00001-WWTP-Westinghouse
8. 2018 Expenditures 61-440-00002-WWTP-Sludge Disposal
9. 2018 Expenditures 61-440-00003-WWTP-Cogeneration
10. 2018 Expenditures 61-441-MIPP
11. 2018 Expenditures 61-442-Sanitary Sewer Maintenance

Revenue

1. 2018 Revenue 61-210-00019 Finance – Manchester Township
2. 2018 Revenue 61-210-00020 Finance – North York Borough
3. 2018 Revenue 61-210-00021 Finance – Spring Garden Township
4. 2018 Revenue 61-210-00022 Finance – Springettsbury Township
5. 2018 Revenue 61-210-00023 Finance – West Manchester Township
6. 2018 Revenue 61-210-00024 Finance – West York Borough
7. 2018 Revenue 61-210-00025 Finance – York Township
8. 2018 Revenue 61-210-00026 Finance – York City
9. 2018 Revenue 61-210 Finance
10. 2018 Revenue 61-440-00002-Waste Water Treatment Plant – Sludge Disposal
11. 2018 Revenue 61-440-00003-Waste Water Treatment Plant – Cogeneration
12. 2018 Revenue 61-440-Waste Water Treatment Plant
13. 2018 Revenue 61-441-MIPP

62 – Sewer Transportation Fund

Revenue

1. 2018 Revenue 62-210-00019 Finance –Manchester Township
2. 2018 Revenue 62-210-00020 Finance-North York Borough
3. 2018 Revenue 62-210-00021 Finance – Spring Garden Township
4. 2018 Revenue 62-210-00023 Finance – West Manchester Township
5. 2018 Revenue 62-210-00024 Finance – West York Borough
6. 2018 Revenue 62-210-00025 Finance – York Township
7. 2018 Revenue 62-210 Finance

2019

60 – Sewer Fund

Expenditures

1. 2019 Expenditures 60-210 Finance
2. 2019 Expenditures 60-420-00141 Public Works-Flood Pumping Stations
3. 2019 Expenditures 60-210-00332 Public Works-York County Chesapeake Bay Pollution Reduction
4. 2019 Expenditures 60-420-70242 Public Works-Utilities Sewer Maintenance
5. 2019 Expenditures 60-420 Public Works
6. 2019 Expenditures 60-442-00004 Sewer Maintenance-Prevention Maintenance
7. 2019 Expenditures 60-442-00005 Sewer Maintenance-Construction Repair Work

8. 2019 Expenditures 60-442-00006 Sewer Maintenance-Inflow Infiltration
9. 2019 Expenditures 60-442-00007 Sewer Maintenance-PA One Call
10. 2019 Expenditures 60-442-00141 Sewer Maintenance-Flood Pumping Stations
11. 2019 Expenditures 60-442 Sewer Maintenance

Revenue

1. 2019 Revenue 60-210-00019 Finance-Manchester Township
2. 2019 Revenue 60-210-00020 Finance-North York Borough
3. 2019 Revenue 60-210-00021 Finance-Spring Garden Township
4. 2019 Revenue 60-210-00022 Finance-Springettsbury Township
5. 2019 Revenue 60-210-00023 Finance-West Manchester Township
6. 2019 Revenue 60-210-00024 Finance-West York Borough
7. 2019 Revenue 60-210-00025 Finance-York Township
8. 2019 Revenue 60-210 Finance
9. 2019 Revenue 60-420 Public Works
10. 2019 Revenue 60-442-00005 Sewer Maintenance-Construction Repair Work
11. 2019 Revenue 60-442 Sewer Maintenance

61 – Intermunicipal Sewer Fund

Expenditures

1. 2019 Expenditures 61-210 Finance
2. 2019 Expenditures 61-420-70240 Public Works-Utilities-WWTP
3. 2019 Expenditures 61-420-70241 Public Works-Utilities-MIPP

4. 2019 Expenditures 61-420 Public Works
5. 2019 Expenditures 61-422 Building and Electrical Maintenance
6. 2019 Expenditures 61-440 Wastewater Treatment Plant
7. 2019 Expenditures 61-440-00001 Wastewater Treatment Plant-
Westinghouse
8. 2019 Expenditures 61-440-00002 Wastewater Treatment Plant-
Sludge Disposal
9. 2019 Expenditures 61-00003 Wastewater Treatment Plant-
Cogeneration
10. 2019 Expenditures 61-441 Municipal Industrial Pre-Treatment
Program
11. 2019 Expenditures 61-442 Sewer Maintenance

Revenue

1. 2019 Revenue 61-210-00019 Finance-Manchester Township
2. 2019 Revenue 61-210-00020 Finance-North York Borough
3. 2019 Revenue 61-201-00021 Finance-Spring Garden Township
4. 2019 Revenue 61-201-00022 Finance-Springettsbury Township
5. 2019 Revenue 61-201-00023 Finance-West Manchester Township
6. 2019 Revenue 61-201-00024 Finance-West York Borough
7. 2019 Revenue 61-201-00025 Finance-York Township
8. 2019 Revenue 61-201-00026 Finance-York City
9. 2019 Revenue 61-210 Finance
10. 2019 Revenue 61-440-00003 Wastewater Treatment Plant –
Cogeneration
11. 2019 Revenue 61-440 Wastewater Treatment Plant
12. 2019 Revenue 61-441 Municipal Industrial Pre-Treatment Program

62 – Sewer Transportation Fund

Expenditures

1. 2019 Expenditures 62-442-0020 Sewer Maintenance –North York Borough
2. 2019 Expenditures 62-442-0021 Sewer Maintenance – Spring Garden Township
3. 2019 Expenditures 62-442-0023 Sewer Maintenance – West Manchester Township
4. 2019 Expenditures 62-442-0025 Sewer Maintenance – York Township

Revenue

1. 2019 Revenue 62-210-00019 Finance – Manchester Township
2. 2019 Revenue 62-210-00021 Finance – Spring Garden Township
3. 2019 Revenue 62-210-00023 Finance – West Manchester Township
4. 2019 Revenue 62-210-00024 Finance – West York Borough
5. 2019 Revenue 62-210-00025 Finance – York Township
6. 2019 Revenue 62-210 Finance

2020

60 – Sewer Fund

Expenditures

1. 2020 Expenditures as of 5-14-20 / 60-210 Finance
2. 2020 Expenditures as of 5-14-20 / 60-420-00141 Public Works – Flood Pumping Stations
3. 2020 Expenditures as of 5-14-20 / 60-420-00332 Public Works – York County Chesapeake Bay Pollution Reduction

4. 2020 Expenditures as of 5-14-20 / 60-420-70242 Public Works – Utilities-Sewer Maintenance
5. 2020 Expenditures as of 5-14-20 / 60- 420 Public Works
6. 2020 Expenditures as of 5-14-20 / 60-442-00004 Sewer Maintenance – Prevention Maintenance
7. 2020 Expenditures as of 5-14-20 / 60-442-00005 Sewer Maintenance-Construction Repair Work
8. 2020 Expenditures as of 5-14-20 / 60-442-00006 Sewer Maintenance-Inflow Infiltration
9. 2020 Expenditures as of 5-14-20 / 60-442-00007 Sewer Maintenance-PA One Call
10. 2020 Expenditures as of 5-14-20 / 60-442-00141 Sewer Maintenance-Flood Pumping Stations
11. 2020 Expenditures as of 5-14-20 / 60-442 Sewer Maintenance

Revenue

1. 2020 Revenue as of 5-14-20 / 60-210-00019 Finance-Manchester Township
2. 2020 Revenue as of 5-14-20 / 60-210-00020 Finance – North York Borough
3. 2020 Revenue as of 5-14-20 / 60-210-00021 Finance – Spring Garden Township
4. 2020 Revenue as of 5-14-20 / 60-210-00022 Finance – Springettsybury Township
5. 2020 Revenue as of 5-14-20 / 60-210-00023 Finance – West Manchester Township
6. 2020 Revenue as of 5-14-20 / 60-210-00024 Finance – West York Borough

7. 2020 Revenue as of 5-14-20 / 60-210-00025 Finance – York Township
8. 2020 Revenue as of 5-14-20 / 60-210 Finance
9. 2020 Revenue as of 5-14-20 / 60-420 Public Works
10. 2020 Revenue as of 5-14-20 / 60-442 Sewer Maintenance

61 – Intermunicipal Sewer Fund

Expenditures

1. 2020 Expenditures as of 5-14-20 / 61-210 Finance
2. 2020 Expenditures as of 5-14-20 / 61-420-70240 Public Works-Utilities WWTP
3. 2020 Expenditures as of 5-14-20 / 61-420-70241 Public Works-Utilities MIPP
4. 2020 Expenditures as of 5-14-20 / 61-420 Public Works
5. 2020 Expenditures as of 5-14-20 / 61-422 Building and Electrical Maintenance
6. 2020 Expenditures as of 5-14-20 / 61-440-00001 Wastewater Treatment Plant – Westinghouse
7. 2020 Expenditures as of 5-14-20 / 61-440-00002 Wastewater Treatment Plant – Sludge Disposal
8. 2020 Expenditures as of 5-14-20 / 61-440-00003 Wastewater Treatment Plant – Cogeneration
9. 2020 Expenditures as of 5-14-20 / 61-440 Wastewater Treatment Plant
10. 2020 Expenditures as of 5-14-20 / 61-441 Municipal Industrial Pre-Treatment Program

Revenue

1. 2020 Revenue as of 5-14-20 / 61-210-00019 Finance – Manchester Township
2. 2020 Revenue as of 5-14-20 / 61-210-00020 Finance – North York Borough
3. 2020 Revenue as of 5-14-20 / 61-210-00021 Finance – Spring Garden Township
4. 2020 Revenue as of 5-14-20 / 61-210-00022 Finance – Springettsbury Township
5. 2020 Revenue as of 5-14-20 / 61-210-00023 Finance – West Manchester Township
6. 2020 Revenue as of 5-14-20 / 61-210-00024 Finance – West York Borough
7. 2020 Revenue as of 5-14-20 / 61-210-00025 Finance – York Township
8. 2020 Revenue as of 5-14-20 / 61-210-00026 Finance – York City
9. 2020 Revenue as of 5-14-20 / 61-210 Finance
10. 2020 Revenue as of 5-14-20 / 61-440-00003 Wastewater Treatment Plant – Cogeneration
11. 2020 Revenue as of 5-14-20 / 61-440 Wastewater Treatment Plant
12. 2020 Revenue as of 5-14-20 / 61-441 Municipal Industrial Pre-Treatment Program

62 – Sewer Transportation Fund

Expenditures

1. 2020 Expenditures as of 5-14-20 / 62-442-00024

Revenue

1. 2020 Revenue as of 5-14-20 / 62-210-00019 Finance – Manchester Township
2. 2020 Revenue as of 5-14-20 / 62-210-00020 Finance – North York Borough
3. 2020 Revenue as of 5-14-20 / 62-210-00021 Finance – Spring Garden Township
4. 2020 Revenue as of 5-14-20 / 62-210-00023 Finance – West Manchester Township
5. 2020 Revenue as of 5-14-20 / 62-210-00024 Finance – West York Borough
6. 2020 Revenue as of 5-14-20 / 62-210-00025 Finance – York Township
7. 2020 Revenue as of 5-14-20 / 62-210 Finance

RKL Compilation Reports YCSA

1. RKL Accountant's Compilation Report for York City Sewer Authority, December 31, 2018
2. RKL Accountant's Compilation Report for York City Sewer Authority, December 31, 2019
3. RKL Accountant's Compilation Report for York City Sewer Authority, April 30, 2020



UNITED STATES ENVIRONMENTAL PROTECTION
AGENCY REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

12/10/2020

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Honorable Michael R. Helfrich, Mayor
Mayor's Office
101 South George Street
York, PA 17401

Henry H. Nixon, President
York City Council
101 South George St.
York, PA 17401

H. Michael Buckingham
York City Council
York City Sewer Authority
101 South George St.
York, PA 17401

**Re: Notice of Potential Violations and Opportunity to Confer
NPDES Permit #PA0026263**

Dear Sirs:

This letter is in reference to an ongoing investigation the United States Environmental Protection Agency, Region III, (EPA or Agency) is conducting with regard to compliance with Pennsylvania (PA) National Pollutant Discharge Elimination System (PA NPDES) Permit No. PA0026263 (the Permit). The Permit regulates discharges from the City of York Wastewater Treatment Plant (the WWTP or the Facility), located in Manchester Township, PA. It is EPA's understanding that the York WWTP is owned by the City of York Sewer Authority (the Authority) and operated by the City of York (the City) and the Permit is issued to the Authority. On May 29, 2019, EPA conducted an inspection (the Inspection) of the York WWTP. The general purpose of the Inspection was to determine the Permittee's compliance with the requirements of the Permit, which, as a general matter, regulates operation of the WWTP related to discharges from the WWTP to Codorus Creek.

Following the Inspection, by letter dated July 17, 2019, EPA provided a copy of the report documenting the EPA Inspection (the Inspection Report) to the WWTP. By letter dated July 29, 2019, the Authority provided a response to the Inspection Report. By letter dated April 2, 2020, EPA requested information relating to compliance with the Permit (EPA Request for Information). On May 22, 2020, EPA received a response to the EPA Request for Information.

The information currently available to EPA suggests that the Permittee may be in violation of the requirement of the Clean Water Act and its regulations. By this letter, EPA is extending the Authority

Re: *Notice of Potential Violations and Opportunity to Confer*
NPDES Permit #PA0026263

and the City an opportunity to advise the Agency, via telephone or other virtual telecommunications, or in writing, of any further information the EPA should consider with respect to the potential violations.

Potential CWA Violations Identified by EPA

Section 301 of the Clean Water Act (CWA), 33 U.S.C. § 1311, prohibits the discharge of any pollutant from a point source to a water of the United States, except in compliance with, among other things, a NPDES permit issued pursuant to Section 402 of the CWA, 33 U.S.C. § 1342. Section 402(a) of the Act, 33 U.S.C. § 1342(a), provides that the Administrator of EPA may issue permits under the NPDES program for the discharge of pollutants from point sources to waters of the United States. Pursuant to Section 402(b) of the Act, 33 U.S.C. § 1342(b), during 1978, EPA first authorized the Commonwealth of Pennsylvania to issue NPDES permits and such authority was re-authorized during 1991. In accordance with Section 402 of the CWA, 33 U.S.C. § 1342, Pennsylvania issued the Permit.

The information currently available to EPA suggests that the Permittee may have potentially violated the Permit. The enclosed proposed Administrative Order on Consent (Proposed AOC) identifies certain potential violations of the Permit. These potential violations include:

- Part A.I.A. of the Permit defines effluent limitations, monitoring, recordkeeping, and reporting requirements for Outfall 001 discharges. During January 1, 2017 through July 31, 2020, the Facility experienced 42 effluent limit exceedances from Outfall 001 (i.e. during bypass events). A summary of the forty-two (42) Outfall 001 exceedances at issue is included in Table 1 of the Inspection Report and in the enclosed Proposed AOC. Therefore, during January 1, 2017 through July 31, 2020, the Permittee may have violated the requirements set forth at Part A.I.A. of the Permit.
- Part A.I.B. of the Permit defines effluent limitations, monitoring, recordkeeping, and reporting requirements for Outfall 002 discharges. During January 1, 2017 and July 31, 2020, the Facility experienced fifteen (15) effluent limit exceedances from Outfall 002. A summary of the fifteen (15) Outfall 002 exceedances at issue is included in the enclosed Proposed AOC. Therefore, during January 1, 2017 through July 31, 2020, the Permittee may have violated the requirements set forth at Part A.I.B. of the Permit.
- Permit Part B.I.E.2. states: “The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the terms of and conditions of this permit.” As the Inspection Report and the enclosed AOC describe in detail, during the Inspection, EPA inspectors observed:
 - several pieces of equipment that contribute to the full treatment capacity of the Plant were either out of service or partially functioning. As described in detail in the Inspection Report and enclosed Proposed AOC, the equipment that was either out of service or partially functioning included: i) an influent channel, ii) Primary Clarifiers No. 1, 3 and 5, iii) one of three screw pumps that convey wastewater from the Train #2 secondary clarifiers to the sand filters, iv) the sand filters, v) the automatic chlorine injection system and vi) the Facility supervisory control and data acquisition (SCADA) system.

Re: *Notice of Potential Violations and Opportunity to Confer*
NPDES Permit #PA0026263

- malfunctioning secondary treatment units based upon: a) scum and floatable solids accumulated in the secondary clarifiers of Train #2, b) foam in the anoxic basins at the effluent of the BNR systems for Trains #2 and #3 and c) algae and vegetation on and around the step aerator at Outfall 002.
- deficiencies relating to tracking of maintenance activities at the Facility, including failure to complete work orders generated during the past year and limited functionality of the Facility's computerized maintenance management system.

Therefore, at the time of the Inspection, the Permittee may have violated the requirements set forth at Part B.I.E.2. of the Permit.

- Part C.V.E. of the Permit states, "At an influent flow rate of 53 MGD or higher, the Train #2 Secondary Clarifier effluent, bypassing existing sand filters and UV disinfection system, may be discharged to Codorus Creek via Outfall 001, contingent upon compliance with effluent limitations and monitoring requirements identified in Part A of this permit. Except for the Train #2 Secondary Clarifier effluent and stormwater, discharge of other wastewaters via Outfall 001 is prohibited." As the Inspection Report and the enclosed AOC describe in detail, during the Inspection, EPA inspectors were informed that to protect the biology in the biological nutrient removal systems, these systems are typically taken offline (i.e. no treatment, just flow through) during wet weather events as influent flows approach 25 to 26 MGD. During July 2018 through May 2019, this practice resulted in at least five bypass events whereby a mixture of stormwater, groundwater and partially treated wastewater was discharged from Outfall 001 to Codorus Creek. Therefore, during July 2018 through May 2019, the Permittee may have violated the requirements set forth at Part C.V.E. of the Permit.

Opportunity to Confer

Based upon the currently available information, EPA is considering the appropriate enforcement response to the above described potential violations of the Permit. Pursuant to the CWA, the United States can seek compliance with the Permit and penalties for noncompliance with the Permit by initiating either: a) a civil action in federal district court or b) an administrative action, either of which may include a complaint, demand for civil penalties or an order for compliance.

Although such enforcement authorities are available to EPA, prior to determining whether to take enforcement action, by this letter, EPA is providing Permittee an opportunity to meet and/or confer with EPA representatives, via telephone or other virtual telecommunication, to demonstrate to EPA, through the submission of additional information, that the Permittee was in compliance with the Permit at the time of the Inspection. This meeting is referred to by EPA as an Opportunity to Confer Meeting.

To take advantage of this opportunity and schedule an Opportunity to Confer Meeting, the Permittee must contact Ms. Kaitlin McLaughlin by telephone at 215-814-2393 within twenty-one (21) calendar days of receipt of this letter. During that call, EPA and the Permittee will schedule an Opportunity to Confer Meeting to take place via telephone or another virtual telecommunication and discuss how Permittee may submit additional information.

Re: *Notice of Potential Violations and Opportunity to Confer*
NPDES Permit #PA0026263

The enclosed Proposed AOC is provided to the Permittee as an example of administrative order that could address the potential violations, and it is attached for purposes of settlement negotiations only. Therefore, the enclosed Proposed AOC is confidential and is not a final enforceable order mandating any action. The proposed measures in the Proposed AOC are EPA's current proposed settlement terms, based on the evidence of potential violations currently available to EPA, as described in the Proposed AOC. Thus, the Permittee is not currently required to take any actions described in the Proposed AOC.

In the event that the Permittee chooses to decline EPA's invitation to: a) arrange and attend an Opportunity to Confer Meeting and b) provide EPA with additional information that the Permittee believes demonstrates that the allegations of noncompliance, as set forth in the enclosed Proposed AOC, are factually or legally inaccurate or incorrect, EPA reserves the right to pursue an enforcement action to address the violations described in the enclosed Proposed AOC at any time subsequent to **twenty-one (21) calendar days** of receipt of this letter.

Please note that to the extent there is ongoing noncompliance with any Permit issued to the Permittee, such noncompliance should be corrected immediately. EPA specifically reserves the right to use any and all enforcement tools at its disposal to address violations at the Facility regardless of any future discussions in response to this letter.

If, in the course of discussing this matter with the Agency, the Permittee intends to submit documents or information to EPA, please be advised that you are entitled to assert a claim of business confidentiality (CBI claim) covering any part or all of the information you submit to EPA, however, any assertion of a CBI claim must be made in the manner described in 40 C.F.R. § 2.203(b). Information subject to a CBI claim will be made available to the public only in accordance with 40 C.F.R. Part 2, Subpart B. Unless a CBI claim is asserted at the time the information is submitted to EPA, EPA may make this information available to the public without further notice to Permittee.

Any submission of information or documentation to EPA relating to this matter must include the following certification signed by the Permittee or legal counsel representing Permittee:

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this response to the Request to Show Cause and that, based on my inquiry of those individuals immediately responsible for obtaining or compiling the information, I believe that the submitted information is true, accurate, and complete. I recognize that there are significant penalties for submitting false and/or misleading information, including the possibility of fine and/or imprisonment.

Signature: _____

Printed Name: _____

This letter is not subject to review by the Office of Management and Budget pursuant to the Paperwork Reduction Act, 44 U.S.C. §§ 3501-3520.

As EPA understands that the Permittee is represented by legal counsel, EPA requests that such legal counsel please direct his/her written response, as well as all questions and communications with respect to any matters addressed in this letter, to Kathleen Root, Esq., Senior Assistant Regional Counsel, EPA, Region III, by phone at (215) 814-2684 or by email at root.kathleen@epa.gov.

Re: *Notice of Potential Violations and Opportunity to Confer*
NPDES Permit #PA0026263

Please carefully consider the settlement negotiation opportunities being made available through this letter.

Sincerely,

KAREN
MELVIN

Digitally signed by
KAREN MELVIN
Date: 2020.12.10
13:06:17 -05'00'

Karen Melvin, Director
Environmental & Compliance Assurance Division

Enclosure

cc: Kathleen Root, Esq., EPA (Root.Kathleen@epa.gov)
Kaitlin McLaughlin, EPA (Mclaughlin.Kaitlin@epa.gov)
Victor H. Landis, Environmental Group Manager, PADEP (Vlandis@pa.gov)
David Garrison, Esq., Garrison Environmental Law (dag@garrisonenvironmental.com)

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

In the Matter of:)	
)	
City of York Sewer Authority)	ADMINISTRATIVE ORDER FOR
345 East Market Street)	COMPLIANCE ON CONSENT
York, PA 17403)	PURSUANT TO 33 U.S.C. § 1319(a)
)	
And)	Docket No. CWA CWA-03-2021-0044DN
)	
City of York)	
Mayor's Office)	
101 South George Street)	
York, PA 17401)	
)	
Respondents)	
_____)	

I. STATUTORY AUTHORITY AND JURISDICTION

1. This Administrative Order for Compliance on Consent (AOCC or Order) is issued to the City of York Sewer Authority (the Sewer Authority) and the City of York (the City) (Respondents), under the authority vested in the United States Environmental Protection Agency (EPA) by Section 309(a) of the Clean Water Act (CWA or Act), 33 U.S.C. § 1319(a). The Administrator has delegated this authority to the Regional Administrator of EPA Region III, who in turn has delegated it to the Director of the Enforcement & Compliance Assurance Division.
2. Section 309(a) of the Act provides, *inter alia*, that: “Whenever, on the basis of information available to [EPA], [EPA] finds that any person is in violation of any condition or limitation [implementing section 1311, 1312, 1316, 1317, 1318, 1328, or 1345 of this title] in a permit issued under section 1342 ... of this title, ... [EPA] shall issue an order requiring such person to comply with such condition or limitation ...” See 33 U.S.C. § 1319(a)(3).
3. EPA has jurisdiction over the above-captioned matter, as described in Paragraphs 1 and 2, above.
4. EPA has consulted with the Commonwealth of Pennsylvania (Pennsylvania) Department of Environmental Protection (PADEP) regarding this action and, subsequent to the Effective Date, EPA will mail a copy of this fully executed AOCC to the appropriate PADEP representative.

In the Matter of City of York Sewer Authority and City of York, Pennsylvania, Docket No. CWA 03-2021-0044DN
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II. GENERAL PROVISIONS

5. For the purpose of this proceeding only, Respondents admit each jurisdictional allegation set forth in this AOCC.
6. Except as provided in Paragraph 5, above, Respondents neither admit nor deny the specific factual allegations set forth in Section IV (FINDINGS OF FACT AND CONCLUSIONS OF LAW) of this AOCC, below.
7. Respondents agree not to contest the jurisdiction of EPA with respect to the execution or enforcement of this AOCC.
8. For purposes of this proceeding only, Respondents agree to the terms and issuance of this AOCC and hereby expressly waive any rights they may have, jointly or severally, to contest the allegations set forth in this AOCC.
9. The provisions of this AOCC shall apply to and be binding upon each Respondent and its officers, directors, employees, contractors, agents, trustees, successors and assigns of that Respondent.
10. Respondents shall bear their own costs and attorney's fees in connection with this proceeding and associated with the implementation or enforcement of this AOCC, including any costs related to resolution of any dispute arising regarding this AOCC.
11. Issuance of this AOCC is intended to address the violations described herein. EPA reserves the right to commence action against any person, including each Respondent, in response to any condition which EPA determines may present an imminent and substantial endangerment to the public health, public welfare, or the environment. EPA also reserves any existing rights and remedies available to it under the CWA, 33 U.S.C. §1311, et seq., the regulations promulgated thereunder, and any other federal laws or regulations for which EPA has jurisdiction. Further, EPA reserves any rights and remedies available to it under the CWA, the regulations promulgated thereunder, and any other federal laws or regulations for which EPA has jurisdiction, to enforce the provisions of this AOCC, following the Effective Date, as defined below.
12. This AOCC shall not be construed to require Respondents to continue to operate the WWTP in its entirety. Unless or until this AOCC is modified or terminated, in accordance with the terms of this AOCC, any complete shutdown, change of ownership or change in operation of the WWTP shall not relieve Respondents of any obligations under this AOCC.
13. To the extent that any obligation under this AOCC requires either Respondent to obtain a federal, state, or local permit or approval, Respondents are responsible for submitting timely and complete applications and taking all other actions necessary to obtain all such permits or approvals.
14. This AOCC does not constitute a waiver or modification of the terms or conditions of any permit issued to either Respondent. Nothing in this Order shall relieve either Respondent of its obligation to comply with all applicable provisions of federal, state, or local laws and regulations, nor shall it restrict EPA's authority to seek compliance with any applicable laws or regulations, nor shall it be construed to be a ruling on the validity of any federal, state or local permit. This Order does not constitute a waiver, suspension or

In the Matter of City of York Sewer Authority and City of York, Pennsylvania, Docket No. CWA 03-2021-0044DN
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modification of the requirements of the Act, 33 U.S.C. §§ 1251 et seq., or any regulations promulgated thereunder.

15. Respondents waive any and all remedies, claims for relief and otherwise available rights to judicial or administrative review that either Respondent may have with respect to any issue of fact or law set forth in this AOCC, including any right of judicial review pursuant to Chapter 7 of the Administrative Procedure Act, 5 U.S.C. §§ 701-706.
16. EPA reserves all existing inspection authority otherwise available to EPA pursuant to Section 308 of the CWA, 33 U.S.C. § 1318, or pursuant to any other statute or law.
17. The undersigned representative of each Respondent certifies that he or she is fully authorized by the party represented to enter into the terms and conditions of this AOCC and to execute and legally bind the party.
18. By signing this AOCC, each Respondent acknowledges that this AOCC may be available to the public and represents that, to the best of Respondent's knowledge and belief, this AOCC does not contain any confidential business information or personally identifiable information from Respondent.
19. Each Respondent certifies that any information or representation it has supplied or made to EPA concerning this matter was, at the time of submission was true, accurate, and complete and that there has been no material change regarding the truthfulness, accuracy or completeness of such information or representation. EPA shall have the right to institute further actions to recover appropriate relief if EPA obtains evidence that any information provided and/or representations made by either Respondent to the EPA regarding matters relevant to this AOCC are false or, in any material respect, inaccurate. This right shall be in addition to all other rights and causes of action that EPA may have, civil or criminal, under law or equity in such event. Each Respondent and its officers, directors and agents are aware that the submission of false or misleading information to the United States government may subject a person to separate civil and/or criminal liability.

III. STATUTORY AND REGULATORY BACKGROUND

20. Section 301(a) of the Act, 33 U.S.C. § 1311(a), prohibits the discharge of any pollutant by any person except in compliance with sections 301, 302, 306, 307, 318, 402, and 404 of the Act.
21. Section 402(a) of the Act, 33 U.S.C. § 1342(a), provides that the Administrator of EPA may issue permits under the National Pollutant Discharge Elimination System (NPDES) program for the discharge of pollutants from point sources to waters of the United States. The discharges are subject to specific terms and conditions as prescribed in the permit. Section 402(b) of the Act, 33 U.S.C. § 1342(b), provides for the authorization of state programs to issue NPDES permits.
22. "Discharge of a pollutant" means "[a]ny addition of any 'pollutant' or combination of pollutants to 'waters of the United States' from any 'point source'." 40 C.F.R. § 122.2 *See also* 33 U.S.C. § 1362(12).

In the Matter of City of York Sewer Authority and City of York, Pennsylvania, Docket No. CWA 03-2021-0044DN
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23. Pursuant to Section 402(b) of the Act, 33 U.S.C. § 1342(b), during 1978, EPA first authorized Pennsylvania to issue NPDES permits and such authority was re-authorized during 1991.

IV. FINDINGS OF FACT AND JURISDICTIONAL ALLEGATIONS

24. Respondents are each a “person” within the meaning of Section 502(5) of the Act, 33 U.S.C. § 1362(5).
25. At all times relevant to this AOCC, Respondents, jointly or severally, owned and operated the York Wastewater Treatment Plant (the WWTP or Facility), a publicly-owned wastewater treatment plant located in Manchester Township, York County, PA. Treated domestic, commercial, and industrial wastewater is discharged from the WWTP to Codorus Creek.
26. At all times relevant to this AOCC, the operation of the WWTP has been subject to the Pennsylvania Department of Environmental Protection (PADEP) issued NPDES Discharge Permit No. PA0026263 (the Permit), which became effective on September 1, 2017.
27. Respondents are authorized to discharge pollutants wastewater from the WWTP to waters of the United States only in accordance with the terms and conditions of the Permit.
28. Codorus Creek is a tributary of the Susquehanna River in York County, Pennsylvania, and both Codorus Creek and the Susquehanna River are “waters of the United States” within the meaning of Section 502(7) of the Act, 33 U.S.C. § 1362(7).
29. At all times relevant to this AOCC, wastewater was discharged from the WWTP into Codorus Creek through a “point source” as that term is defined at Section 502(14) of the Act, 33 U.S.C. § 1362(14).
30. On May 29, 2019, representatives of EPA inspected the WWTP for purposes of determining compliance with the Permit (the Inspection).
31. Part A.I.A. of the Permit defines effluent limitations, monitoring, recordkeeping, and reporting requirements for discharges from Outfall 001 of the WWTP. During January 1, 2017 through May 31, 2019, the WWTP experienced 42 effluent limit exceedances from Outfall 001 during bypass events. A summary of the 42 Outfall 001 exceedances at issue is set forth in Table 1, below.

Table 1. Outfall 001 Final Effluent Exceedances (January 1, 2017 through July 31, 2020)						
Monitoring Period Start Date	Monitoring Period End Date	Parameter Name	DMR Value	Permit Limit	Units	Statistical Base Code
3/1/2019	3/31/2019	Ammonia-Nitrogen	3.9	2.1	mg/L	Average Monthly
3/1/2019	3/31/2019	Carbonaceous Biochemical Oxygen Demand (CBOD5)	33.0	30.0	mg/L	Weekly Average
3/1/2019	3/31/2019	Carbonaceous Biochemical Oxygen Demand (CBOD5)	33.0	20.0	mg/L	Average Monthly
3/1/2019	3/31/2019	Dissolved Oxygen	3.6	5.0	mg/L	Minimum

Appendix A-20-e

In the Matter of City of York Sewer Authority and City of York, Pennsylvania, Docket No. CWA 03-2021-0044DN
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Table 1. Outfall 001 Final Effluent Exceedances (January 1, 2017 through July 31, 2020)						
Monitoring Period Start Date	Monitoring Period End Date	Parameter Name	DMR Value	Permit Limit	Units	Statistical Base Code
3/1/2019	3/31/2019	Total Phosphorus	3.5	2.0	mg/L	Average Monthly
3/1/2019	3/31/2019	Total Residual Chlorine (TRC)	1.00	0.44	mg/L	Instantaneous Maximum
3/1/2019	3/31/2019	Total Residual Chlorine (TRC)	0.56	0.13	mg/L	Average Monthly
3/1/2019	3/31/2019	Total Suspended Solids	65.0	45.0	mg/L	Weekly Average
3/1/2019	3/31/2019	Total Suspended Solids	65.0	30.0	mg/L	Average Monthly
11/1/2018	11/30/2018	Ammonia-Nitrogen	3.3	2.1	mg/L	Average Monthly
11/1/2018	11/30/2018	Dissolved Oxygen	3.3	5.0	mg/L	Minimum
11/1/2018	11/30/2018	Total Phosphorus	2.5	2.0	mg/L	Average Monthly
11/1/2018	11/30/2018	Total Residual Chlorine (TRC)	0.97	0.13	mg/L	Average Monthly
11/1/2018	11/30/2018	Total Residual Chlorine (TRC)	2.52	0.44	mg/L	Instantaneous Maximum
9/1/2018	9/30/2018	Ammonia-Nitrogen	7.2	1.7	mg/L	Average Monthly
9/1/2018	9/30/2018	Carbonaceous Biochemical Oxygen Demand (CBOD5)	28.5	13.0	mg/L	Average Monthly
9/1/2018	9/30/2018	Carbonaceous Biochemical Oxygen Demand (CBOD5)	28.5	19.0	mg/L	Weekly Average
9/1/2018	9/30/2018	Dissolved Oxygen	2.4	5.0	mg/L	Minimum
9/1/2018	9/30/2018	Total Phosphorus	5.5	2.0	mg/L	Average Monthly
9/1/2018	9/30/2018	Total Residual Chlorine (TRC)	1.22	0.13	mg/L	Average Monthly
9/1/2018	9/30/2018	Total Residual Chlorine (TRC)	2.58	0.44	mg/L	Instantaneous Maximum
9/1/2018	9/30/2018	Total Suspended Solids	32.5	30.0	mg/L	Average Monthly
8/1/2018	8/31/2018	Ammonia-Nitrogen	2.8	1.7	mg/L	Average Monthly
8/1/2018	8/31/2018	Carbonaceous Biochemical Oxygen Demand (CBOD5)	27.0	19.0	mg/L	Weekly Average
8/1/2018	8/31/2018	Carbonaceous Biochemical Oxygen Demand (CBOD5)	27.0	13.0	mg/L	Average Monthly
8/1/2018	8/31/2018	Dissolved Oxygen	2.6	5.0	mg/L	Minimum
8/1/2018	8/31/2018	Fecal Coliform	201	200	No./100 ml	Geometric Mean
8/1/2018	8/31/2018	Total Phosphorus	2.4	2.0	mg/L	Average Monthly
8/1/2018	8/31/2018	Total Residual Chlorine (TRC)	0.24	0.13	mg/L	Average Monthly
8/1/2018	8/31/2018	Total Residual Chlorine (TRC)	0.76	0.44	mg/L	Instantaneous Maximum

In the Matter of City of York Sewer Authority and City of York, Pennsylvania, Docket No. CWA 03-2021-0044DN
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Table 1. Outfall 001 Final Effluent Exceedances (January 1, 2017 through July 31, 2020)						
Monitoring Period Start Date	Monitoring Period End Date	Parameter Name	DMR Value	Permit Limit	Units	Statistical Base Code
8/1/2018	8/31/2018	Total Suspended Solids	61.0	45.0	mg/L	Weekly Average
8/1/2018	8/31/2018	Total Suspended Solids	61.0	30.0	mg/L	Average Monthly
7/1/2018	7/31/2018	Ammonia-Nitrogen	5.3	1.7	mg/L	Average Monthly
7/1/2018	7/31/2018	Carbonaceous Biochemical Oxygen Demand (CBOD5)	34.5	13.0	mg/L	Average Monthly
7/1/2018	7/31/2018	Carbonaceous Biochemical Oxygen Demand (CBOD5)	34.5	19.0	mg/L	Weekly Average
7/1/2018	7/31/2018	Dissolved Oxygen	2.9	5.0	mg/L	Minimum
7/1/2018	7/31/2018	Fecal Coliform	48392	1000	No./100 ml	Instantaneous Maximum
7/1/2018	7/31/2018	Fecal Coliform	12869	200	No./100 ml	Geometric Mean
7/1/2018	7/31/2018	Total Phosphorus	6.3	2.0	mg/L	Average Monthly
7/1/2018	7/31/2018	Total Suspended Solids	49.3	30.0	mg/L	Average Monthly
7/1/2018	7/31/2018	Total Suspended Solids	49.3	45.0	mg/L	Weekly Average
7/1/2017	7/31/2017	Ammonia-Nitrogen	7.1	1.7	mg/L	Average Monthly

32. Part A.I.B. of the Permit defines effluent limitations, monitoring, recordkeeping, and reporting requirements for Outfall 002 discharges. During September 1, 2017 and May 31, 2019, the WWTP experienced nine (9) effluent limit exceedances from Outfall 002. A summary of the nine (9) Outfall 002 exceedances at issue is set forth in Table 2, below.

Table 2. Outfall 002 Final Effluent Exceedances (January 1, 2017 through July 31, 2020)						
Monitoring Period Start Date	Monitoring Period End Date	Parameter Name	DMR Value	Permit Limit	Units	Statistical Base Code
7/1/2020	7/31/2020	Fecal Coliform	1307	1000	No./100 ml	Instantaneous Maximum
7/1/2020	7/31/2020	Total Phosphorus	2.6	2.0	mg/L	Average Monthly
7/1/2020	7/31/2020	Ammonia-Nitrogen	3.8	1.7	mg/L	Average Monthly
5/1/2020	5/31/2020	Fecal Coliform	2420	1000	No./100 ml	Instantaneous Maximum
8/1/2019	8/31/2019	Carbonaceous Biochemical Oxygen Demand (CBOD5)	24.5	19.0	mg/L	Weekly Average
8/1/2019	8/31/2019	Fecal Coliform	24196	1000	No./100 ml	Instantaneous Maximum
5/1/2019	5/31/2019	Fecal Coliform	2420	1000	No./100 ml	Instantaneous Maximum
9/1/2018	9/30/2018	Fecal Coliform	12100	1000	No./100 ml	Instantaneous Maximum

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Table 2. Outfall 002 Final Effluent Exceedances (January 1, 2017 through July 31, 2020)						
Monitoring Period Start Date	Monitoring Period End Date	Parameter Name	DMR Value	Permit Limit	Units	Statistical Base Code
8/1/2018	8/31/2018	Fecal Coliform	12098	1000	No./100 ml	Instantaneous Maximum
7/1/2018	7/31/2018	Carbonaceous Biochemical Oxygen Demand (CBOD5)	24.6	19.0	mg/L	Weekly Average
7/1/2018	7/31/2018	Fecal Coliform	48392	1000	No./100 ml	Instantaneous Maximum
5/1/2018	5/31/2018	Ammonia-Nitrogen	4.9	1.7	mg/L	Average Monthly
4/1/2018	4/30/2018	Ammonia-Nitrogen	3.4	2.1	mg/L	Average Monthly
1/1/2018	1/31/2018	Ammonia-Nitrogen	2.8	2.1	mg/L	Average Monthly
9/1/2017	9/30/2017	Fecal Coliform	3873	1000	No./100 ml	Instantaneous Maximum

33. Part B.I.E.2. states: “The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the terms of and conditions of this permit.” During the Inspection, EPA Inspectors observed the following incidents of operational malfunction of the Facility, which prohibited Respondents compliance with the terms of and conditions of the Permit.
- a. Several pieces of equipment that contribute to the full treatment capacity of the WWTP were either out of service or partially functioning. As described in detail in the Inspection Report, the equipment that was either out of service or partially functioning included: i) an influent channel, ii) Primary Clarifiers No. 1, 3 and 5, iii) one of three screw pumps that convey wastewater from the Train #2 secondary clarifiers to the sand filters, iv) the sand filters, v) the automatic chlorine injection system and vi) the Facility supervisory control and data acquisition (SCADA) system.
 - b. The secondary treatment units were malfunctioning based upon the presence of:
 - a) scum and floatable solids accumulated in the secondary clarifiers of Train #2,
 - b) foam in the anoxic basins at the effluent of the BNR systems for Trains #2 and #3 and c) algae and vegetation on and around the step aerator at Outfall 002.
 - c. The WWTP’s computerized maintenance management system was functioning was limited resulting in deficiencies in tracking of maintenance activities, including failure to complete work orders generated during the past year.
34. Part C.V.E. of the Permit states, “At an influent flow rate of 53 MGD or higher, the Train #2 Secondary Clarifier effluent, bypassing existing sand filters and UV disinfection system, may be discharged to Codorus Creek via Outfall 001, contingent upon compliance with effluent limitations and monitoring requirements identified in Part A of this permit. Except for the Train #2 Secondary Clarifier effluent and stormwater, discharge of other wastewaters via Outfall 001 is prohibited.” During the Inspection, EPA

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Inspectors were informed that to protect the biota in the biological nutrient removal systems, these systems are typically taken offline (i.e. there was no treatment of the influent, only flow through of the influent occurred) during wet weather events as influent flows increased near to 25 to 26 MGD. During July 2018 through May 2019, this practice resulted in at least five bypass events whereby a mixture of stormwater, groundwater and partially treated wastewater was discharged from Outfall 001 to Codorus Creek.

V. CONCLUSIONS OF LAW AND FINDINGS OF VIOLATION

35. The allegations set forth in Paragraphs 1-34, above, are incorporated herein.
36. Based on the above assertions and allegations, EPA concludes that Respondents violated Part A.1.A. of the Permit on the dates set forth in Table 1, above.
37. Based on the above assertions and allegations, EPA concludes that Respondents violated Part A.1.B. of the Permit on the dates set forth in Table 2, above.
38. Based on the above assertions and allegations, EPA concludes that Respondents violated Part B.I.E.2. of the Permit prior and subsequent to May 29, 2019.
39. Based on the above assertions and allegations, EPA concludes that Respondents violated Part C.V.E. of the Permit prior and subsequent to May 29, 2019.
40. Based on the above assertions and allegations in Paragraphs 1-39, above, Respondents have failed to comply with the terms and conditions of the Permit and, therefore, have violated Section 301 of the CWA, 33 U.S.C. § 1311.

VI. COMPLIANCE ORDER

Therefore, Respondents are hereby ORDERED, pursuant to Section 309(a) of the CWA, 33 U.S.C. § 1319(a), and consent to conduct the following activities:

41. Within 180 days of the Effective Date, the Respondents shall certify to EPA that: a) it has retained the services of at least one certified operator, who has been granted the authority to make process control decisions at the Facility, b) such certified operator is Board-certified with a valid certificate with the appropriate class and subclassifications for the Facility and is designated by the owner as an available operator, in accordance with 25 Pa. Code § 302.104 (Certification Requirements) and c) has made arrangements to ensure oversight of the Facility by such certified operator(s) at all times. Respondents shall include a copy of each certified sewage treatment plant operator's certificate as an attachment to the Certification of Certified WWTP Operator(s) at the Facility.
42. On or prior to the dates set forth below, Respondents shall complete each of the following WWTP capital improvement projects (York AOCC Compliance Projects) in accordance with this AOCC, including the EPA approved York AOCC Implementation Plan, and submit a York AOCC Compliance Project Completion Notification to EPA in accordance with this AOCC:

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- a. York AOCC Compliance Project #1: Primary Clarifier Overhaul – Hydraulic Improvements Project
Deadline for submission of York AOCC Compliance Project #1 Completion Notification to EPA: June 30, 2021.
- b. York AOCC Compliance Project #2: Primary Clarifier Pump Station Upgrades Project
Deadline for submission of York AOCC Compliance Project #2 Completion Notification: June 30, 2021.
- c. York AOCC Compliance Project #3: Scum Removal System Repair Project
Deadline for submission of York AOCC Compliance Project #3 Completion Notification: June 30, 2021.
- d. York AOCC Compliance Project #4: Screw Pump Replacement Project
Deadline for submission of York AOCC Compliance Project #4 Completion Notification: December 31, 2024.
- e. York AOCC Compliance Project #5: Tertiary Filter Replacement Project
Deadline for submission of York AOCC Compliance Project #5 Completion Notification: December 31, 2021.
- f. York AOCC Compliance Project #6: SCADA System & Instrumentation & Controls & Replacement & Improvements Project
Deadline for submission of York AOCC Compliance Project #6 Completion Notification: December 31, 2022.
- g. York AOCC Compliance Project #7: Work Order System Implementation Project
Deadline for submission of York AOCC Compliance Project #7 Completion Notification: June 30, 2023.
- h. York AOCC Compliance Project #8: Manual Chlorination – 001 EFF Project
Deadline for submission of York AOCC Compliance Project #8 Completion Notification: June 30, 2026.
- i. York AOCC Compliance Project #9: No Dechlorination – 001 EFF Project
Deadline for submission of York AOCC Compliance Project #9 Completion Notification: June 30, 2026.
- j. York AOCC Compliance Project 10 – “Infiltration/Inflow Removal – WWTP”
Deadline for submission of York AOCC Compliance Project #10 Completion Notification: June 30, 2025.
- k. York AOCC Compliance Project #11: UV Disinfection System Replacement & Building Renovations
Deadline for submission of York AOCC Compliance Project #11 Completion Notification: December 31, 2025.

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43. Implementation Plan: Within sixty (60) days of the Effective Date, Respondents shall submit to EPA for review a York AOCC Implementation Plan (the York AOCC Implementation Plan), which meets the requirements set forth in this AOCC. The York AOCC Implementation Plan shall include, at a minimum, the following:
- a. A primary point of contact, who represents the Respondents jointly, for all EPA communications regarding this AOCC. Such information shall include such person's: name, title, mailing and email addresses and direct dial phone number. Respondents' assigned primary point of contact shall not be reviewable by EPA and shall not be subject to EPA approval or disapproval.
 - b. A detailed description of each York AOCC Compliance Project (e.g. York AOCC Project #4 Detailed Description), including a description to all planned or necessary changes to the Facility.
 - c. A detailed description of the project management process for completing each York AOCC Compliance Project (e.g. York AOCC Project #4 Project Management Process), including an identification and description of any compliance project related training, permits required by PADEP or local authorities, studies, interim reports, monitoring and sampling analysis reports.
 - d. A detailed schedule for completion of each York AOCC Compliance Project listed in this AOCC, including timelines and interim milestones (York AOCC Project Detailed Schedule) (e.g. York AOCC Project #4 Detailed Schedule). Respondents shall review each York AOCC Project Detailed Schedule on a quarterly basis prior to submission of any York AOCC Compliance Project Progress Report, required pursuant to this AOCC. Respondents shall submit any requests for revisions to any EPA-approved York AOCC Project Detailed Schedule in accordance with Paragraph 45 of this AOCC, below.
 - e. A detailed schedule for providing and completing training for staff and management for any new system or process related to each York AOCC Compliance Project (York AOCC Project Training Schedule) (e.g. York AOCC Project #4 Project Training Schedule).
 - f. A detailed schedule for providing and completing any progress reports required by this AOCC and any sampling analysis, studies or interim reports identified in the proposed detailed description of the project management process for any York AOCC Compliance Project.
 - g. A format for the following submissions required pursuant to this AOCC: i) York AOCC Compliance Projects Progress Reports and ii) York AOCC Compliance Project Completion Notifications.
44. Respondents shall comply with, fully implement and undertake all work described in the EPA approved York AOCC Implementation Plan.
45. Progress Reports: Respondents shall submit to EPA progress reports (York AOCC Compliance Projects Progress Reports) in accordance with this AOCC.
46. York AOCC Compliance Projects Progress Reports

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- a. Each York AOCC Compliance Project Progress Report shall include sufficient information to document compliance with this AOCC, including the EPA approved York AOCC Implementation Plan, for each York AOCC Compliance Project. For each York AOCC Compliance Project, each York AOCC Compliance Project Progress Report shall include, at a minimum: a listing of submissions to EPA during the reporting period and a clear indication of compliance or noncompliance with each milestone, including any compliance project related training, studies undertaken or completed, interim reports undertaken or submitted to EPA, project summary reports submitted to EPA, photographs relevant to documenting compliance with this AOCC, including the EPA approved York AOCC Implementation Plan, monitoring undertaken and sampling analysis reports submitted to EPA, as set forth in the EPA approved York AOCC Implementation Plan.
 - b. Each York AOCC Compliance Project Progress Report shall confirm, or provide an update for, the name and contact information (mailing and email addresses and direct dial phone number) for the person assigned as the primary point of contact, who represents the Respondents jointly, for all EPA communications regarding this AOCC.
 - c. For each York AOCC Compliance Project for which Respondents have not submitted a York AOCC Compliance Project Completion Notification, each York AOCC Compliance Project Progress Report shall include either: i) confirmation of compliance with the respective EPA-approved York AOCC Project Detailed Schedule or ii) a proposed revised York AOCC Project Detailed Schedule for EPA's review for such York AOCC Compliance Project (Proposed York AOCC Project #4 Detailed Schedule Revision) (e.g. Proposed York AOCC Project #4 Detailed Schedule Revision).
 - d. Respondents shall submit the initial York AOCC Compliance Project Progress Report no later than the last day of the first calendar quarter following the Effective Date, as defined in this AOCC.
 - e. Respondents shall submit each subsequent York AOCC Compliance Project Progress Report on a calendar quarterly basis and no later than each subsequent March 30th, June 30th, September 30th and December 30th, prior to termination of this AOCC.
47. Project Completion Notifications: For each York AOCC Compliance Project, Respondents shall submit to EPA for review and approval a notification of completion of such project (Proposed York AOCC Compliance Project Completion Notification) in accordance with this AOCC. Within 30 calendar days of completion of each York AOCC Compliance Project, listed in this AOCC, Respondents shall submit a Proposed York AOCC Compliance Project Completion Notification. Each Proposed York AOCC Compliance Project Completion Notification shall include sufficient information to document compliance with this AOCC and completion of such York AOCC Compliance Project in accordance with the terms of this AOCC, including the EPA approved the York AOCC Implementation Plan.

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VII. PROCEDURES FOR SUBMISSIONS

48. All documents required to be submitted by this Order and any Request for Termination shall be accompanied by a certification signed by a responsible officer, as defined in 40 CFR § 122.22(d), that reads as follows:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly 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.

Signed _____

Title: _____

Date: _____

49. Each Respondent may assert a business confidentiality claim covering part or all of the information which this AOCC requires it to submit to EPA, but only to the extent and only in the manner described in Part 2 Subpart B of Title 40 of the C.F.R. The EPA will disclose information submitted under a confidentiality claim only as provided in Part 2 Subpart B of Title 40 of the C.F.R. If, at the time any information is submitted to EPA, the Respondent submitting such information does not assert a confidentiality claim, EPA may make the submitted information available to the public without further notice to either Respondent.
50. Unless otherwise directed in writing, Respondents shall submit any submission or written communication, including any accompanying data, relating to this AOCC either via: a) email or b) mail if email communication is not reasonably available to:

Email: McLaughlin.Kaitlin@epa.gov

Mail: Ms. Kaitlin McLaughlin

NPDES Inspector (Mailcode: 3ED32)

Enforcement and Compliance Assurance Division

U.S. EPA, Region III

1650 Arch Street, Philadelphia, PA 19103-2029

Any information submitted electronically shall be submitted in a widely recognized electronic format.

51. Review of Submissions:
- a. Except for any York AOCC Compliance Projects Progress Report, for each submission required pursuant to this AOCC, including required pursuant to the EPA-approved York AOCC Implementation Plan, EPA, in its sole and unreviewable discretion, may in writing: (i) approve such submission in whole or in part; (ii) approve such submission upon specified conditions; (ii) modify such submission to

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- cure any deficiencies; (iii) disapprove such submission, in whole or in part, or (iv) any combination of the above.
 - b. If such submission is approved, Respondents shall take all actions required by the EPA approved submission, in accordance with the schedules and requirements set forth in such approved submission or EPA’s written notification of approval. If such submission is conditionally approved or approved only in part, Respondents shall, upon written direction from EPA, take all actions required by any EPA approved portion of such submission that EPA determines is technically severable from any portion requiring further EPA review or disapproved by EPA.
 - c. If EPA disapproves such submission in whole or in part, Respondents shall, within thirty (30) calendar days or such other time as EPA determines appropriate, correct all deficiencies and resubmit such disapproved portion of such submission for approval, in accordance with this AOCC.
 - d. After review of any document resubmitted in accordance with Paragraph 51.c., above EPA will notify Respondents in writing that such resubmission is approved, disapproved or revised in whole or part. If the resubmission is approved, in whole or in part, Respondents shall proceed in accordance with Paragraph 51.b., above. If any portion of such resubmission is disapproved, EPA may again require Respondents to correct any deficiencies, in accordance with Paragraph 51.c., above, or EPA may revise such document and correct any deficiencies and notify Respondents to take all actions required by such revised resubmission.
52. Subsequent to EPA approval of any plan, schedule or other document required to be submitted to EPA, pursuant to the Section VI (Compliance Order) of this AOCC, Respondents may seek EPA’s review of revisions to such previously EPA approved document. The provisions of this Section shall apply to any request for any revision of any EPA approved document and any revised submission.

**VIII. CERTIFICATION OF COMPLIANCE AND
REQUEST FOR TERMINATION OF AOCC**

53. Upon completion of all York AOCC Compliance Projects required pursuant to this AOCC and submission of all required York AOCC Compliance Project Completion Notification, including sufficient information to document compliance with this AOCC and completion of each York AOCC Compliance Project in accordance with the terms of this AOCC, Respondents shall submit to EPA a Certification of Compliance and Request for Termination of this AOCC. Such certification and request shall include:
- a. a certification that Respondents have maintained compliance with this AOCC for the term of this AOCC and
 - b. all necessary documentation, including photo documentation as appropriate, to support a finding that Respondents have complied with Section VI (Compliance Order) of this AOCC.
54. If, following review of any Certification of Compliance and Request for Termination of this AOCC, EPA agrees that Respondents have adequately complied with all

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requirements of this AOCC, then EPA may, in its unreviewable discretion, provide written notification of termination of this AOCC.

IX. EXTENSION OF TIME REQUEST BASED ON FORCE MAJEURE EVENT

55. "Force Majeure Event", for purposes of this AOCC, is defined as any event arising from causes beyond the control of either Respondent, of any entity controlled by either Respondent or any contractor of either Respondent, that delays or prevents the performance of any obligation under this AOCC subsequent to Respondents exercising best efforts to fulfill the obligation(s) at issue. The requirement that Respondents exercise "best efforts to fulfill the obligation" includes using best efforts to anticipate any potential Force Majeure Event and best efforts to address the effects of any such event: (a) as it is occurring and (b) after it has occurred, to prevent or minimize any resulting delay. Unanticipated or increased costs or expenses associated with the performance of Respondents' obligations under this AOCC or Respondents' financial inability to perform any obligation under this AOCC shall not constitute circumstances beyond Respondents' control nor serve as the basis for an extension of time under this AOCC.
56. If at any time during the implementation of this AOCC, any Force Majeure Event occurs that may delay the performance of any obligation under this AOCC, including implementation of an EPA approved plan or schedule, Respondents shall, within three (3) calendar days of determining that such event may delay the performance of such obligation, provide to EPA a written request for an extension of time to comply with any such obligation (Extension of Time Request). Such Extension of Time Request shall include, at a minimum, the following information for each specific obligation(s) for which an extension of time is sought.
- a. The specific obligation(s) for which an extension of time is sought, including each applicable deadline.
 - b. A detailed explanation and description of the Force Majeure Event at issue and the reasons for the requested extension of time, including all supporting documentation.
 - c. The amount of time for which an extension of time is sought.
 - d. A detailed description of all actions taken to prevent or minimize the amount of time for which an extension of time is sought, including a detailed description of each Respondent's best efforts to fulfill the obligation.
 - e. A detailed description, including a schedule for implementation, of all actions to be taken to prevent or mitigate the amount of time for which an extension is sought and the effect of any delay on any other obligation pursuant to this AOCC.
 - f. A statement as to whether, in the opinion of each Respondent, the Force Majeure Event at issue may cause or contribute to an endangerment to public health, welfare, or the environment.
57. Respondents shall be deemed to know of the occurrence of, or reasonable likelihood of an occurrence of, any circumstance or event that may delay the performance of any

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- obligation under this AOCC of which either Respondent, any entity controlled by either Respondent, or any contractor of either Respondent knew or should have known.
58. Any Extension of Time Request shall be submitted in accordance with this AOCC and shall be subject to the procedures for review of submissions as set forth in this AOCC.
 59. EPA may, in its unreviewable discretion, approve or disapprove any Extension of Time Request.
 60. EPA's approval, including conditional approval, of any Extension of Time Request shall not, of itself extend the time for performance of any other obligation not explicitly addressed in such approval.
 61. Failure to comply with the above requirements may preclude Respondents from asserting any claim of Force Majeure or other related defense for non-compliance with the terms of this AOCC for the time period such non-compliance is related to a reportable event.

X. AOCC MODIFICATIONS

62. Any request to modify the terms of, or parties to, this AOCC shall be submitted, in writing, by Respondents to EPA and shall be subject to review and approval by EPA, in its sole and unreviewable discretion. Respondents' submission of a written request for modification of this AOCC shall not relieve Respondents of any obligation under this AOCC and shall have no effect on EPA's statutory or regulatory authority to enforce the terms of this AOCC, in its sole and unreviewable discretion.

XI. CHANGE OF OWNERSHIP OR OPERATION OF THE WWTP

63. Until or unless this AOCC is modified or terminated, in accordance with the terms of this AOCC, Respondents shall, jointly and severally, remain responsible for compliance with the terms of this AOCC following any transfer of ownership or operation of the WWTP.
64. At least ninety (90) days prior to any transfer of ownership or operation of the WWTP, Respondents shall submit a written notification to EPA of any such anticipated change in ownership or operation of the WWTP (Notification of Change of York WWTP Ownership or Operation). Each such Notification of Change of York WWTP Ownership or Operation shall include, at a minimum, a detailed summary of the anticipated change in ownership or operation, contact information for the proposed new owner or operator of the WWTP and a schedule for such anticipated change.
65. Respondents shall condition any sale or transfer of ownership or operation of the WWTP, in whole or in part, upon the execution by such Prospective Third Party Purchaser, or Transferee, of an agreement, which creates an obligation that shall survive the closing of such sale or transfer, of the WWTP, whereby such Prospective Third Party Purchaser or Transferee agrees to comply with and be bound by the terms of this AOCC.

XII. EFFECTIVE DATE

66. This AOCC will become effective upon the Sewer Authority's receipt of a fully-executed copy of this AOCC.

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Matter of City of York and City of York Sewer Authority, Docket No. CWA 03-2021-0044DN

FOR CITY OF YORK SEWER AUTHORITY

By: _____
Name: _____
Title: _____
Date: _____

FOR CITY OF YORK, PENNSYLVANIA

By: _____
Name: _____
Title: _____
Date: _____

SO ORDERED:

FOR U.S. ENVIRONMENTAL PROTECTION AGENCY

Date: _____

By: _____

Karen Melvin, Director
Enforcement & Compliance Assurance Division
U.S. Environmental Protection Agency
Region III



FILE COPY

November 15, 2012

CERTIFIED MAIL NO. 9171 9690 0935 0033 0001 73

9171 9690 0935 0033 0001 73

York City Sewer Authority
c/o Ms. Stacey R. Macneal
Katherman, Heim & Perry
345 East Market Street
York, PA 17403

Re: Consent Assessment of Civil Penalty
York City WWTP
NPDES Permit No. PA0026263
Manchester Township, York County

Dear Ms. Macneal:

Enclosed is a fully executed copy of the Consent Assessment of Civil Penalty (CACP). This will also acknowledge receipt of check number 1842 in the amount of \$8,500.00, in accordance with the CACP dated November 9, 2012.

Thank you for your cooperation in settling these violations of the Clean Streams Law. If you have any questions, please contact me at 717.705.4789.

Sincerely,

A handwritten signature in black ink that reads "Victor Landis". The signature is written in a cursive style.

Victor Landis
Water Quality Specialist Supervisor
Clean Water Program

Enclosure

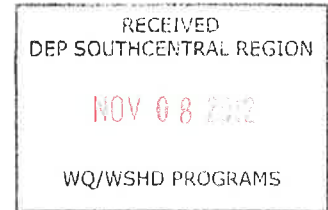
V-3A



KATHERMAN, HEIM & PERRY

ATTORNEYS AT LAW
345 EAST MARKET STREET
YORK, PENNSYLVANIA 17403
(717) 854-5124
FAX 843-2590
FAX 848-5898 (LCH)

J. ROBERT KATHERMAN
L.C. HEIM
RONALD PERRY
STACEY R. MACNEAL



November 7, 2012

VIA FEDERAL EXPRESS

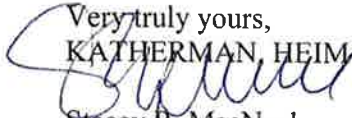
Victor Landis
Water Quality Specialist Supervisor
Clean Water Program
Pennsylvania DEP
Southcentral Regional Office
909 Elmerton Avenue
Harrisburg, PA 17110-8200

Re: Settlement Agreement
York City WWTP
NPDES Permit No. PA 0026263
Manchester Township, York County

Dear Victor:

Enclosed please three original Consent Assessments of Civil Penalty forms that have been executed by the York City Sewer Authority. After execution by the Pennsylvania Department of Environmental Protection, kindly return a fully executed copy to me. Also enclosed is a check in the amount of \$8,500.00 representing the agreed upon civil penalty for this violation.

If you should need anything further, please let me know.

Very truly yours,
KATHERMAN, HEIM & PERRY

Stacey R. MacNeal

SRM/trw

cc: York City Sewer Authority
Lawrence Lutter, PE
James Gross, Director of Public Works

EnF: 290441

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

In the matter of:

York City Sewer Authority
c/o Ms. Stacey R. Macneal
Katherman, Heim & Perry
345 East Market Street
York, PA 17403

:
: The Clean Streams Law
: NPDES Permit No. PA0026263
: Manchester Township
: York County
:

CONSENT ASSESSMENT OF CIVIL PENALTY

This Consent Assessment of Civil Penalty ("CACP") is entered into this ^{9th} day of ^{November}, 2012, by and between the Commonwealth of Pennsylvania, Department of Environmental Protection ("Department") and the York City Sewer Authority ("Authority").

The Department has found and determined the following:

- A. The Department is the agency with the duty and authority to administer and enforce the Pennsylvania Clean Streams Law, the Act of June 22, 1937, P.L. 1987, as amended, 35 P.S. § 691.1 et seq. ("The Clean Streams Law"); Section 1917-A of the Administrative Code, the Act of April 9, 1929, P.L. 177, as amended, 71 P.S. § 510-17 ("Administrative Code") and the rules and regulations promulgated thereunder, and which has been delegated authority to administer the National Pollutant Discharge Elimination System ("NPDES") permit program under the Federal Clean Water Act, 33 U.S.C § 1342.
- B. The Authority is a municipal authority formed under the laws of the Commonwealth of Pennsylvania, with a business address of 17 East Market Street, York, Pennsylvania 17401.
- C. The Authority owns and operates a municipal wastewater treatment plant ("Plant"), which is located in Manchester Township, York County, Pennsylvania. The Plant discharges treated wastewater to Codorus Creek, a water of the Commonwealth. The discharge constitutes sewage pursuant to Sections 201 and 202 of The Clean Streams Law, 35 P.S. §§ 691.201 and 691.202.
- D. The discharge from the Plant is only authorized by NPDES Permit No. PA0026263 ("NPDES Permit") issued by the Department to the Authority on January 30, 2008, pursuant to Sections 201 and 202 of the Clean Streams Law, 35 P.S. §§ 691.201 and 691.202. The NPDES Permit became effective on February 1, 2008, was amended on January 9, 2009, and expires at midnight on January 31, 2012.

- E. Between August 6 and August 7, 2012, the Authority discharged an estimated 9 million gallons of inadequately treated wastewater into Codorus Creek. The discharge was the result of a loss of power to the ultra-violet ("UV") disinfection system.
- F. On August 9, 2012, the Department conducted an inspection of the Plant and documented the unauthorized discharge of partially treated sewage described in paragraph E. above. The Department also documented several operational violations that occurred on August 6, 2012, including a malfunction of the recirculation pumps in Train 3, loss of electrical power to the Train 2 effluent screw pumps and sand filter system, and the improper operation of the centrifuge system.
- G. The failure to properly operate and maintain the Plant, as described in Paragraph E and F, above, constitutes a violation of Part B.I.D. of the Authority's NPDES Permit.
- H. The discharge of inadequately treated sewage into Waters of the Commonwealth, as described in paragraphs E, was not authorized by permit or regulation and thereby constitutes a violation of Section 201 and Section 202 of The Clean Streams Law, 35 P.S. §§ 691.201 and 691.202.
- I. The violations described in paragraphs G and H, above, constitute unlawful conduct under Section 611 of The Clean Streams Law, 35 P.S. § 691.611; and subject The Authority to a claim for civil penalties under Section 605 of The Clean Streams Law, 35 P.S. § 691.605.

After full and complete negotiation of all matters set forth in this CACP and upon mutual exchange of the covenants herein, the parties desiring to avoid litigation and intending to be legally bound, it is hereby ASSESSED by the Department and AGREED to by The Authority as follows:

- 1. **Assessment.** In resolution of the Department's claim for civil penalties, which the Department is authorized to pursue under Section 605 of The Clean Streams Law, 35 P.S. § 691.605, the Department hereby assesses a civil penalty of \$8,500.00, which the Authority hereby agrees to pay.
- 2. **Civil Penalty Settlement.** Upon signing this CACP, the Authority shall pay the civil penalty assessed in Paragraph 1. This payment is in settlement of the Department's claim for civil penalties for the violations set forth in paragraph G and H, above. The payment shall be by corporate check or the like, made payable to "Commonwealth of Pennsylvania, Clean Water Fund", and sent c/o Victor Landis, DEP Clean Water Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200.
- 3. **Findings.**
 - a. The Authority agrees that the findings in paragraphs A through I are true and correct, and in any matter or proceeding involving The Authority and the Department, The Authority shall not challenge the accuracy or validity of these findings.

b. The parties do not authorize any other persons to use the findings in this CACP in any matter or proceeding.


4. **Reservation of Rights.** The Department reserves all other rights with respect to any matter addressed by this CACP, including the right to require abatement of any conditions resulting from the events described in the Findings. The Authority reserves the right to challenge any action which the Department may take, but waives the right to challenge the content or validity of this CACP.

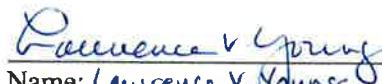
IN WITNESS WHEREOF, the parties have caused the CACP to be executed by their duly authorized representatives. The undersigned representatives of the Authority certify, under penalty of law, as provided by 18 Pa. C.S. § 4904, that they are authorized to execute this CACP on behalf of The Authority, that the Authority consents to the entry of this CACP as an ASSESSMENT of the Department; that the Authority hereby knowingly waives any right to a hearing under the statutes referenced in this CACP; and that the Authority knowingly waives its right to appeal this CACP, which rights may be available under Section 4 of the Environmental Hearing Board Act, the Act of July 13, 1988, P.L. 530, 35 P.S. § 7514; the Administrative Agency Law, 2 Pa. C.S. § 103(a) and Chapters 5A and 7A, or any other provision of law.

FOR THE YORK CITY SEWER
AUTHORITY:

FOR THE COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF ENVIRONMENTAL PROTECTION:


Name: JOSEPH T. HARRIS Date: NOVEMBER 6, 2012
Title: CHAIRMAN


Name: Maria Bebenek Date: 11/8/12
Program Manager
Clean Water Program


Name: Lawrence V. Young Date: 11/7/12
Title: Vice Pres/Vice Sec


Name: Martin H. Sokolow Date: _____
Regional Counsel



The City of York Pennsylvania

101 South George Street ❖ PO Box 509 ❖ York PA 17405

www.yorkcity.org

Honorable C. Kim Bracey, Mayor

AUG 13 2012

James E Gross
Director
Department of Public Works

August 10, 2012

Mr. Victor Landis
Pennsylvania Department of Environmental Protection
Southcentral Region
909 Elmerton Avenue
Harrisburg, PA 17110

Re: York City Wastewater Treatment Plant

PA0026263

Dear Mr. Landis:

Background:

The City of York Wastewater Treatment Plant is located in Manchester Township and serves the following municipalities (in part or in whole):

1. City of York
2. Manchester Township
3. West Manchester Township
4. York Township
5. Spring Garden Township
6. North York Borough
7. West York Borough

In addition, an agreement is in place between the City of York and Springettsbury Township that allows this municipality to pump flow over to the York facility.

The WWTP is designed to treat 26-mgd with a peak-flow design of 57-mgd, all of which is discharged through the permitted 002 outfall. The remaining flow is discharged through the permitted 001 outfall. Flow discharged through the 001 outfall is disinfected using sodium hypochlorite.

Average daily flows through the wastewater treatment plant have been approximately 11-mgd.

Issue:

On August 7, 2012 at approximately 0006 AM it was discovered that power had been lost to the UV disinfection system. All flows were diverted to Train 2 and the 001 outfall and emergency disinfection were placed into service.

Timeline and Action Taken:

1. August 6, 2012 at approximately 0700 it was discovered that power was out to Train 2 effluent screw pumps. All flow was diverted to Train 3. I. B. Abel, an electrical contractor, was called in to assist with troubleshooting the loss of power to the screw pumps. A ground fault was found to be the cause of the loss of power and this was repaired and power was restored. At approximately 1100 on August 6 the screw pumps were running and the plant was restored to normal operations.
2. August 7, 2012 at approximately 0006 a plant operator discovered that power was out at the UV disinfection building. This was reported to a Supervisor and the I. B. Abel was recalled for assistance. All flows were diverted to Train 2 and to the 001 outfall and emergency disinfection was placed into service. Flow rate at 0000 on August 7 was at 12.6 MGD and decreasing.

At approximately 0750 on August 7 power was restored to the UV disinfection building and the plant was returned to normal operation. An unlabeled electrical breaker was found to be off causing the loss of power to the UV building. Flow rate at 0800 on August 7 was at 8.3 MGD.

Estimated Effluent Discharge Volume:

The estimated volume of un-disinfected plant effluent discharged from outfall 002 during this event is 9.0 million gallons. The estimated volume of plant effluent disinfected with sodium hypochlorite discharged from outfall 001 during this event is 2.0 million gallons.

Discovery:

1. During the troubleshooting of the loss of power for the screw pumps on August 6 an unlabeled electrical breaker was turned off. A ground fault was found, a temporary power source placed into service and the screw pumps were returned to service. Repair parts to fix the ground fault condition are on order. The unlabeled breaker was inadvertently left off. The WWTP computer control system showed all plant operations as normal and the UV disinfection system as in service. On August 7 it was discovered that UV system did not have power and the unlabeled breaker was found to be the cause of the loss of power.

Corrective Action:

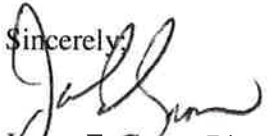
1. The unlabeled breaker has been properly marked.
2. An alarm has been added to the WWTP computer control system to provide notification in the event of the loss of power to the UV disinfection system.


The laboratory test results for samples taken on August 6 and August 7, 2012 are as follows:

Parameter	Outfall 002		Outfall 001
	August 6, 2012	August 7, 2012	August 7, 2012
CBOD, mg/l	Comment Below	Comment Below	Comment Below
TSS, mg/l	2	2	22
NH3, mg/l	Comment Below	Comment Below	Comment Below
PO4, mg/l	0.3	0.4	1.0
Chlorine Residual, mg/l	Not Applicable	Not Applicable	0.01 Ave
Fecal Coliform, MPN	41	2,200	2,400
TKN, mg/l	Not Available	1.2	3.0
Nitrite-Nitrate, mg/l	5.8	5.5	7.4
Dissolved Oxygen, mg/l	8.3	8.3	2.6
Temperature, °C	24	24	17

Copies of the actual lab reports are attached to the report. The CBOD and Ammonia test results will not be finalized until Monday, August 13, 2012 and will be forwarded to DEP as an Addendum to this report.

This report is being submitted by James E. Gross, Director of Public Works and Lawrence A. Lutter, P.E., the consulting engineer with Buchart Horn for the York City Wastewater Treatment Plant, in the absence of an Operator of record. Mr. Steve Douglas had been the Operator of record for the plant and Mr. Douglas was placed on Administrative Leave effective 1630 on Friday, August 3, 2012. The City of York is finalizing plans to name a new Operator of record and will provide proper notification to DEP.

Sincerely,

 James E. Gross, Director
 Department of Public Works


 Lawrence A. Lutter, P.E.
 Buchart Horn, Inc.

Attachment

cc: C. Kim Bracey, Mayor
 J. T. Hand – York City Sewer Authority Chairman

INF & EFF TSS - Sample Collection Date: 8/6/12Date In: 8/7/12 Time In: 0902 In: M7Date Out: 8/8/12 Time Out: 0840 Out: 112

	Dry	Settleable Solids (1 hour):
RAW INFLUENT: Volume: <u>10</u> mL ID: <u>4</u>	$\begin{array}{r} 20.3728 \\ - 20.3710 \\ \hline 0.0018 \end{array}$	$\frac{8.0}{180} \text{ mL/L}$
PRIMARY INFLUENT: Volume: <u>10</u> mL ID: <u>5</u>	$\begin{array}{r} 21.6928 \\ - 21.6909 \\ \hline 0.0019 \end{array}$	$= 190 \text{ mg/L}$
TRAIN 2 INFLUENT: Volume: <u>10</u> mL ID: <u>6</u>	$\begin{array}{r} 21.0452 \\ - 21.0441 \\ \hline 0.0011 \end{array}$	$= 110 \text{ mg/L}$
TRAIN 3 INFLUENT: Volume: <u>10</u> mL ID: <u>7</u>	$\begin{array}{r} 19.9289 \\ - 19.9280 \\ \hline 0.0009 \end{array}$	$= 90 \text{ mg/L}$
TRAIN 2 EFFLUENT: Volume: <u>200</u> mL ID: <u>8</u>	$\begin{array}{r} 22.2171 \\ - 22.2159 \\ \hline 0.0012 \end{array}$	$= 6 \text{ mg/L}$
TRAIN 3 EFFLUENT: Volume: <u>200</u> mL ID: <u>9</u>	$\begin{array}{r} 20.2442 \\ - 20.2428 \\ \hline 0.0014 \end{array}$	$= 7 \text{ mg/L}$
002 EFFLUENT: Volume: <u>250</u> mL ID: <u>10</u>	$\begin{array}{r} 20.1684 \\ - 20.1680 \\ \hline 0.0004 \end{array}$	$= 2 \text{ mg/L}$

AUG/09/2012/THU 03:11 PM

FAX No.

P. 001/001

INF & EFF TSS - Sample Collection Date: 8/7/12

Date In: 8/8/12 Time In: 0900 In: slf

Date Out: 8/9/12 Time Out: 0826 Out: M4

	Dry	Settleable Solids (1 hour):
RAW INFLUENT: Volume: <u>10</u> mL ID: <u>5</u>	$\begin{array}{r} 20.9798 \\ - 20.9776 \\ \hline 0.0022 \end{array}$	$= \frac{220}{11} \text{ mL/L}$
PRIMARY INFLUENT: Volume: <u>10</u> mL ID: <u>6</u>	$\begin{array}{r} 20.1138 \\ - 20.1111 \\ \hline 0.0027 \end{array}$	$= 270 \text{ mg/L}$
TRAIN 2 INFLUENT: Volume: <u>10</u> mL ID: <u>7</u>	$\begin{array}{r} 20.6846 \\ - 20.6834 \\ \hline 0.0012 \end{array}$	$= 120 \text{ mg/L}$
TRAIN 3 INFLUENT: Volume: <u>10</u> mL ID: <u>8</u>	$\begin{array}{r} 19.5323 \\ - 19.5309 \\ \hline 0.0014 \end{array}$	$= 140 \text{ mg/L}$
TRAIN 2 EFFLUENT: Volume: <u>200</u> mL ID: <u>9</u>	$\begin{array}{r} 21.3241 \\ - 21.3229 \\ \hline 0.0012 \end{array}$	$= 6 \text{ mg/L}$
TRAIN 3 EFFLUENT: Volume: <u>200</u> mL ID: <u>10</u>	$\begin{array}{r} 22.0002 \\ - 21.9997 \\ \hline 0.0005 \end{array}$	$= 3 \text{ mg/L}$
→ 002 EFFLUENT: Volume: <u>250</u> mL ID: <u>11</u>	$\begin{array}{r} 20.1174 \\ - 20.1169 \\ \hline 0.0005 \end{array}$	$= 2 \text{ mg/L}$

SLUDGE TSS - Sample Collection Date: 8/6/12

Date In: 8/7/12 Time In: 0908 In: 114

Date Out: 8/8/12 Time Out: 0840 Out: JH

<p>PROCESS RETURN:</p> <p>Volume: <u>10</u> mL ID: <u>11</u></p>	<p>Dry</p> $\begin{array}{r} 21.7978 \\ - 21.7909 \\ \hline 0.0069 \end{array}$ <p>= <u>690</u> mg/L</p>		
<p>001 EFF Collected 8-7-12 CENTRATE CF1:</p> <p>Volume: <u>200</u> mL ID: <u>001</u></p>	<p>Dry</p> $\begin{array}{r} 18.3517 \\ - 18.3473 \\ \hline 0.0044 \end{array}$ <p>= <u>22</u> mg/L</p>	<p>T2 A Stage Collected 8-7-12</p> $\begin{array}{r} IO T2 \\ Vol 5ml \\ 19.5970 \\ \hline 19.5891 \\ \hline 0.0079 \end{array}$ <p>= <u>1580</u> mg/L</p>	
<p>CENTRATE CF2:</p> <p>Volume: <u>10</u> mL ID: <u>12</u></p>	<p>Dry</p> $\begin{array}{r} 20.5161 \\ - 20.5137 \\ \hline 0.0024 \end{array}$ <p>= <u>240</u> mg/L</p>	<p>T3 A Stage Collected 8-7-12</p> $\begin{array}{r} IO T2 \\ Vol 5ml \\ 19.6327 \\ \hline 19.6218 \\ \hline 0.0109 \end{array}$ <p>= <u>2180</u> mg/L</p>	
<p>GBT FILTRATE:</p> <p>Volume: <u>5</u> mL ID: <u>13</u></p>	<p>Dry</p> $\begin{array}{r} 19.7628 \\ - 19.7561 \\ \hline 0.0067 \end{array}$ <p>= <u>1340</u> mg/L</p>		
<p>DUP 1: <u>GBT Filtrate</u></p> <p>Volume: <u>5</u> mL ID: <u>14</u></p>	<p>Dry</p> $\begin{array}{r} 21.7088 \\ - 21.7021 \\ \hline 0.0067 \end{array}$ <p>= <u>1340</u> mg/L</p>	<p>RPD = $\frac{0.0000 \times 100}{0.0067}$ = <u>0.0</u> %</p>	
<p>DUP 2: <u>T2 MCL</u></p> <p>Volume: <u>5</u> mL ID: <u>Dup</u></p>	<p>Dry</p> $\begin{array}{r} 21.3481 \\ - 21.3341 \\ \hline 0.0140 \end{array}$	<p>Volatilized</p> $\begin{array}{r} 21.3372 \\ - 21.3341 \\ \hline 0.0031 \end{array}$ <p>VS <u>0.0109</u> g</p>	<p>SS <u>2800</u> mg/L FS <u>620</u> mg/L VS <u>2180</u> mg/L %Vol <u>78</u> % SS RPD <u>2.8</u> % VS RPD <u>2.7</u> %</p>
<p>SSRPD = $\frac{0.0004}{0.0142} \times 100 = 2.8\%$</p>		<p>VS RPD = $\frac{0.0003}{0.01105} \times 100 = 2.7\%$</p>	
<p>Prepare 1 DUP for every 10 TSS samples & volatilize 1 DUP for every 10 volatilized TSS samples.</p>			

Method SM 4500 P-E

Total Phosphorus for Sample Date 8/6/12

& Ortho Phosphorus for Sample Date -

Analyst Name: aff

Date of Analysis: 8/7/12

Date of Last Calibration: 3/1/12

Time of Analysis: 1:25

Sample Identification	Total (X)	Ortho (X)	Dilution Factor	Meter Reading PO ₄ mg/L	Final Result PO ₄ mg/L	%Rec; RPD; or Std Lot #	QC passed	Quality Control Criteria (see chart in book for actions)
Calibration Blank	X		None (:)	0.0001	<0.1		(Y) N	Must be less than 0.1 mg/L
Method Blank			None (:)	0.0020	<0.1		(Y) N	Must be less than 0.1 mg/L
QCS (0.25 mg/L)			None (:)	0.2468	0.25	S - 4285	(Y) N	Between 0.225 and 0.275 mg/L
LCS (0.50 mg/L)			None (:)	0.4985	0.50	S - 4284	(Y) N	Between 0.45 and 0.55 mg/L
1 RAW INF 8/6			None (1:10)	0.3275	3.3			
2 PRI INF			None (1:10)	0.8126	8.1			
3 TR INF			None (1:10)	0.6258	6.3			
4 T3 INF			None (1:10)	0.5825	5.8			
5 PR			None (1:100)	0.6543	6.54			
6 T2 EFF			None (1:2)	0.3422	0.7			
7 T3 EFF			None (1:2)	0.2159	0.4			
8 CO2 EFF			None (1:2)	0.1611	0.3			
9 CO2 DUP			None (1:2)	0.1586	0.3			
10 CO2 SPK			None (1:2)	0.6406	1.3			
Calibration Blank			None (:)	0.0067	<0.1		(Y) N	Must be less than 0.1 mg/L
QCS (0.90 mg/L)			None (:)	0.9086	0.91	S - 4286	(Y) N	Between 0.81 and 0.99 mg/L
11 T2 RS 8/6			None (1:1000)	0.8758	875.8			
12 T3 RS			None (1:1000)	0.7446	744.6	RPD = $\frac{0.1611}{(0.1611 + 0.1586)} \times 100 = 1.6\%$		
13			None (:)	.	.	%Rec = $\frac{0.6406}{0.1611 + 0.500} \times 100 = 96.9\%$		
14			None (:)	.	.			
15			None (:)	.	.			
16			None (:)	.	.			
17			None (:)	.	.			
18			None (:)	.	.			
19			None (:)	.	.			
20			None (:)	.	.			
Duplicate			None (:)			RPD = 1.6%	(Y) N	Must be within 0 - 10 %
Matrix Spike			None (:)			%Rec = 96.9%	(Y) N	Must be within 90 - 110 %
Calibration Blank	X		None (:)	0.0071	<0.1		(Y) N	Must be less than 0.1 mg/L
QCS (0.25 mg/L)			None (:)	0.2528	0.25		(Y) N	Between 0.225 and 0.275 mg/L



Method SM 4500 P-E

8-7-12

Total Phosphorus for Sample Date

Analyst Name: M17

& Ortho Phosphorus for Sample Date 8-6-12

Date of Last Calibration: 3 / 1 / 12

Date of Analysis: 8 / 8 / 12

Time of Analysis: 1328

Sample Identification	Total (X)	Ortho (X)	Dilution Factor	Meter Reading PO ₄ mg/L	Final Result PO ₄ mg/L	%Rec; RPD; or Std Lot #	QC passed	Quality Control Criteria (see chart in book for actions)
Calibration Blank	X		None (:)	0.0000	<0.1		Y/N	Must be less than 0.1 mg/L
Method Blank			None (:)	0.0036	<0.1		Y/N	Must be less than 0.1 mg/L
QCS (0.25 mg/L)			None (:)	0.2495	0.25	S-4285	Y/N	Between 0.225 and 0.275 mg/L
LCS (0.50 mg/L)			None (:)	0.5029	0.50	S-4284	Y/N	Between 0.45 and 0.55 mg/L
1 Raw Inf 8/7			None (1:10)	0.3852	3.9			
2 P.I. Inf			None (1:10)	0.7056	7.7			
3 T2 Inf			None (1:10)	6.6152	6.2			
4 T3 I.F			None (1:16)	0.6259	6.3			
5 P.N			None (1:100)	0.4809	48.1			
6 T2 E4			None (1:2)	0.3358	0.7			
7 T3 E4			None (1:2)	0.2012	0.4			
8 002 E4			None (1:2)	0.2198	0.4			
9 1209071			None (1:20)	0.2147	4.3			
10 1208072			None (1:15)	0.4734	10.6			
Calibration Blank			None (:)	0.0107	<0.1		Y/N	Must be less than 0.1 mg/L
QCS (0.90 mg/L)			None (:)	0.9027	0.90	S-4286	Y/N	Between 0.81 and 0.99 mg/L
11 T2 ANA 8/8		X	None (1:20)	1.1739	23.5 *			
12 T2 A			None (1:16)	0.5087	5.1			
13 T2 B			None (1:5)	0.4909	2.5	RPD = 0.2103 - 0.7198		
14 T2 C			None (1:2)	0.3347	0.7	0.2103 + 0.2193 * 10 = 44%		
15 T2 D			None (1:2)	0.1256	0.3			
16 T3 ANA			None (1:2)	0.5666	11.3			
17 T3 A			None (1:16)	0.3099	3.1			
18 T3 B			None (1:5)	0.3376	1.7	%Rec = 0.7035 * 100 = 98%		
19 T3 C			None (1:2)	0.0940	0.2	0.198 + 0.50		
20 T3 D			None (1:2)	0.0915	0.2			
Duplicate 002	X		None (1:2)	0.2103	0.4		Y/N	Must be within 0 - 10 %
Matrix Spike 502			None (1:2)	0.7035	1.4		Y/N	Must be within 90 - 110 %
Calibration Blank			None (:)	0.0127	<0.1		Y/N	Must be less than 0.1 mg/L
QCS (0.25 mg/L)			None (:)	0.2613	0.26		Y/N	Between 0.225 and 0.275 mg/L

Method SM 4500 P-E

Total Phosphorus for Sample Date 8/2/12

Analyst Name: YH

& Ortho Phosphorus for Sample Date 8/8/12

Date of Analysis: 8/9/12

Time of Analysis: 1156

Sample Identification	Total (X)	Ortho (X)	Dilution Factor	Meter Reading PO ₄ mg/L	Final Result PO ₄ mg/L	%Rec, RPD, or Std Lot #	QC passed	Quality Control Criteria (see chart in book for actions)
Calibration Blank	X		None (:)	0.0001	<0.1		Y/N	Must be less than 0.1 mg/L
Method Blank			None (:)	0.0038	<0.1		Y/N	Must be less than 0.1 mg/L
QCS (0.25 mg/L)			None (:)	0.2453	0.25	S-4351	Y/N	Between 0.225 and 0.275 mg/L
LCS (0.50 mg/L)			None (:)	0.4975	0.50	S-4350	Y/N	Between 0.45 and 0.55 mg/L
1 RAW INF 8/8			None (1:10)	0.3994	4.0			
2 PRI INF			None (1:10)	0.9512	9.5			
3 T3 INF			None (1:10)	0.7118	7.1			
4 T3 INF			None (1:10)	0.7016	7.0			
5 PR			None (1:100)	0.7458	74.6			
6 T2 EFF			None (1:2)	0.4726	0.9			
7 T3 EFF			None (1:2)	0.1827	0.4			
8 CO2 EFF			None (1:2)	0.2026	0.4			
9 CO2 DUP			None (1:2)	0.2043	0.4			
10 CO2 SPK			None (1:2)	0.6938	1.4			
Calibration Blank			None (:)	0.0087	<0.1		Y/N	Must be less than 0.1 mg/L
QCS (0.90 mg/L)			None (:)	0.8967	0.90	S-4352	Y/N	Between 0.81 and 0.99 mg/L
11 Z1 001 EFF 8/7			None (1:5)	0.2078	1.0			
12 I2 1208081 F10			None (1:25)	0.4157	10.4			
13 T2 RS 8/8			None (1:1000)	0.4515	451.5	RPD=10.0006 (0.2092, 0.2092, 0.2092, 0.2092, 0.2092)		0.2092, 1.100, 0.882
14 T3 RS			None (1:100)	0.5684	568.4	(0.2092, 0.2092, 0.2092, 0.2092, 0.2092)		
15 GB5 hook		X	None (1:200)	0.6807	136.1	%Rec = 0.6158 0.2092, 0.2092, 0.2092, 0.2092, 0.2092		0.2092, 1.100, 0.882
16			None (:)					
17			None (:)					
18			None (:)					
19			None (:)					
20			None (:)					
Duplicate			None (:)					
Matrix Spike			None (:)					
Calibration Blank	X		None (:)	0.0094	<0.1	RPD = 0.82 %Rec = 98.72	Y/N	Must be within 0 - 10 % Must be within 90 - 110 %
QCS (0.25 mg/L)			None (:)	0.2538	0.25		Y/N	Must be less than 0.1 mg/L Between 0.225 and 0.275 mg/L

001 OUTFALL DATA REPORTING AND SAMPLE COLLECTION SHEET

NOTE: DATA LISTED ON THIS SHEET WILL NEED TO BE ENTERED WHEN FLOW EXITS THE PLANT VIA THE 001 DISCHARGE. TESTING LOCATIONS AND INSTRUCTIONS ARE LISTED IN THE HIGH FLOW S.O.P.

1. FECAL COLIFORM SAMPLE (ONCE PER CALENDAR DAY)

OPERATOR. Joe DATE. 8/7/12 TIME 0650

2. D.O. (ONCE PER CALENDAR DAY)

RESULT 2.6 (mg/L) 17°C

OPERATOR. Joe DATE. 8/7/12 TIME. 0508

3. pH. (ONCE PER CALENDAR DAY) 7.37

OPERATOR. Joe DATE. 8/7/12 TIME. 0508

TIME	001 EFFLUENT FLOW (MGD)	CHLORINE RESIDUAL (MG/L)	OPERATOR INITIALS
0000 Hrs.			
0100 Hrs.			
0200 Hrs.			
0300 Hrs.			
0400 Hrs.			
0500 Hrs.		0.00 0.01 0.02	Joe Joe Joe
0600 Hrs.			
0700 Hrs.			
0800 Hrs.			
0900 Hrs.			
1000 Hrs.			
1100 Hrs.			
1200 Hrs.			
1300 Hrs.			
1400 Hrs.			
1500 Hrs.			
1600 Hrs.			
1700 Hrs.			
1800 Hrs.			
1900 Hrs.			
2000 Hrs.			
2100 Hrs.			
2200 Hrs.			
2300 Hrs.			

Residual Chlorine by DPD Colorimetry

Date 8/7/12 Time 0518 Analyst Jac

DPD Powder Pillows Lot # A9049

Standards Lot # A0350

Calibration	Value	Acceptable Range	w/in Range?
Blank	<u>0.0</u>	Zero Instrument for Standards	
Std 1	<u>0.19</u>	0.13 - 0.31	<input checked="" type="checkbox"/> / N
Std 2	<u>0.96</u>	0.84 - 1.04	<input checked="" type="checkbox"/> / N
Std 3	<u>1.68</u>	1.57 - 1.85	<input checked="" type="checkbox"/> / N

Sample	Rezeroed?	Value
<u>0518</u>	<input checked="" type="checkbox"/> / N	<u>0.0</u>
<u>0542</u>	<input checked="" type="checkbox"/> / N	<u>0.01</u>
<u>0650</u>	<input checked="" type="checkbox"/> / N	<u>0.02</u>
	Y / N	
DUP	<input checked="" type="checkbox"/> / N	<u>0.01</u>

Ave 0.01

Remember: Run all samples and standards in LR.
 Run Blank & Std 1 before samples.
 Run Std 2 & Std 3 after samples.
 Rerun samples in HR only if needed.

7/26/12 Read fecals set up on 7/25/12

Initials	BLK	S	100 I	100 II
gh	0	0	20	18
My	0	0	23	22
ehl	0	0	21	18
Jac	0	0	20	19

8-7-12 Fecals set up @ 0715 MY 8-7-12

	read out @ 0730 MY 8-8-12	
<u>BL</u>	002 EFF 1:100	001 EFF 1:100
0	22 =	24 =
	2200	2400
	↑	↑

Fecal Coliform Data

002

Set Up Date	Set Up By	Set Up Time	Read Date	Read By	Read Time	Blank	5 ml	50 ml	100 ml	Col/100 ml
8/1/12	eb	0810	8-2-12	eb	0738	0	2	-	(44) (39)	42
8-2-12	eb	0747	8-3-12	eb	0712	0	3	16	(43)	43
8-3-12	eb	0719	8-4-12	eb	0736	0	1	9	18	18
8-4-12	eb	0743	8-5-12	M4	0808	0	1	3	11	10
8-5-12	M4	0804	8-6-12	M4	0719	0	2	7	(21)	21
→ 8-6-12	M4	0715	8-7-12	M4	0735	0	3	(24)	(33)	(41)
→ 8-7-12	M4	0715	8-8-12	M4	0730	SEE INSERT			(200)	200
8-8-12	M4	0715	8-9-12	M4	0715	0	1	15	(43)	43
8-9-12	M4	0712								

$\frac{48 + 33}{2} = 41$

Total Kjeldahl Nitrogen for JOE'S ERA DOC'S

Date of Analysis: 8/9/12

Analyst Name: Jac

Time of Analysis: 13:02

Slope: 57.0/mV

(Slope must be between -54 and -60 mV)

Sample	Distilled (X)	Dilution Factor	pH >11 (X)	Meter Rdg (mg/L)	Concentration (mg/L)	QC Passes
Calibration Blank must be less than 1.0 mg/L	X	None (:)	X	0.028	< 1.0	(Y) N
Method Blank must be less than 1.0 mg/L	X	None (:)	X	0.132	< 1.0	(Y) N
QCS (4.00 mg/L) between 3.60 and 4.40 mg/L		None (:)	X	3.99	4.0	(Y) N
LCS (10.0 mg/L) between 9.0 and 11.0 mg/L	X	None (:)	X	9.96	10.0	(Y) N
ERA	X	None (:)	X	18.3	18.3	
→ 001 8/7/12	X	None (:)	X	2.97	3.0	
→ 002 8/7/12	X	None (:)	X	1.19	1.2	
		None (:)		.	.	
		None (:)		.	.	
		None (:)		.	.	
		None (:)		.	.	
		None (:)		.	.	
DUP ERA Must be within 0 - 10%	X	None (:)	X	18.7	18.7	
RPD = $\frac{0.2}{18.5} \times 100 = \frac{8/9/12}{18.5} = 2.2\%$						(Y) N
Spike ERA must be within 90 - 110 %	X	None (1:2)	X	14.1	28.2	
%Rec = $\frac{28.2}{18.3 + 10.0} \times 100 = 99.6\%$						(Y) N
Calibration Blank must be less than 1.0 mg/L		None (:)		0.017	< 1.0	(Y) N
22.0 mg/L QCS between 19.8 and 24.2 mg/L		None (:)		21.2	21.2	(Y) N

BRAN+LUEBBE AACE 6.02

Post-run Report

NO2-NO3

City of York WWTP

Name of Run : 080712
 Date of Report : 8/7/2012
 Date of Run : 8/7/2012
 Operator : SJL
 Comment :

Name of Analysis : NO2-NO3 Normal.ANL
 System No. : 1
 Type of System : QuAAtro
 Start/Stop time : 10:05 - 10:47

Channel	1	2
Method	Nitrate	Nitrite
Unit	mg/L	mg/L
Calibr. Fit	Linear	Linear
Corr. Coeff.	0.9998 ✓	1.0000 ✓
Base	-7544	-5863
Gain	12	11
Sensitivity	0.6826	0.7393
Sample Limit 1		
Sample Limit 2		

Pk	Cup	Sample Id	Value	Value
0	0	B Baseline	0.071	-0.007
1	11	P Primer	4.100	3.970
2	11	D Drift	4.083	3.979
3	11	C Cal 4.0	4.006	4.005
4	12	C Cal 3.5	3.491	3.491
5	13	C Cal 3.0	3.016	3.005
6	14	C Cal 2.5	2.527	2.502
7	15	C Cal 2.0	1.983	2.001
8	16	C Cal 1.5	1.463	1.500
9	17	C Cal 1.0	0.963	0.991
10	18	C Cal 0.5	0.510	0.507
11	19	C Cal 0.2	0.241	0.200
12	11	H1 High	4.010	3.954
13	19	L1 Low	0.249	0.201
14	19	L1 Low	0.250	0.201
15	21	S BLANK	0.084 ✓	0.000
16	22	S 0.75 NO2 QCS	0.719 ✓	0.731 ✓
17	23	S 0.75 NO3 QCS	0.731 ✓	-0.007
18	24	S RAW INF 08/06	0.571 ✓	-0.002
19	25	S RAW SPK 10ppm	11.244D ✓	-0.005
20	26	S T2 INF	0.490R	0.014
21	27	S T3 INF	0.311	0.084
22	28	S T2 EFF	7.782D	0.007
23	29	S T3 EFF	5.324D	-0.008
24	30	S 002 EFF	5.840D ✓	0.024
25	31	S 002 DUP 08/06	5.737D ✓	0.023
26	32	S 001 EFF 08/07	7.417D	-0.010

$$\%Rec = \frac{11.244}{0.571 + 10.0} \times 100 = 106.4\%$$

$$RPD = \frac{5.840 - 5.737}{((5.840 + 5.737)/2)} \times 100 = 1.8\%$$

SJL

Appendix A-20-e

BRAN+LUEBBE AACE 6.02

Post-run Report

27	33	S	BLANK	0.104R ✓	-0.009
28	34	S	3.5 NO2 QCS	3.267 ✓	3.276 ✓
29	35	S	3.5 NO3 QCS	3.494 ✓	0.015
30	36	S	10.0 NO3 LCS	9.848D ✓	0.001
31	37	S	DI WATER	0.076R ✓	-0.006
32	11	D	Drift	4.083	3.979
33	0	B	FinalBase	0.071	-0.007

Dilution-Factor : 6.621 6.465

CORRECTIONS

Channel	:	1	2
Baseline	:	Yes	Yes
Drift	:	Yes	Yes
Carry over	:	Yes	Yes
%:		0.9	1.3

** <END OF REPORT> **

BRAN+LUEBBE AACE 6.02

Post-run Report

NO2-NO3

City of York WWTP

Name of Run : 080812
 Date of Report : 8/8/2012
 Date of Run : 8/8/2012
 Operator : MY
 Comment :

Name of Analysis : NO2-NO3 Normal.ANL
 System No. : 1
 Type of System : QuAAtro
 Start/Stop time : 11:24 - 12:16

Channel	:	1	2
Method	:	Nitrate	Nitrite
Unit	:	mg/L	mg/L
Calibr. Fit	:	Linear	Linear
Corr. Coeff.	:	0.9997	0.9999
Base	:	-7557	-5836
Gain	:	12	11
Sensitivity	:	0.6651	0.7457
Sample Limit 1	:		
Sample Limit 2	:		

Pk	Cup	Sample Id	Value	Value
0	0	B Baseline	0.093	-0.012
1	11	P Primer	3.968	3.986
2	11	D Drift	3.998	3.984
3	11	C Cal 4.0	4.023	3.969
4	12	C Cal 3.5	3.518	3.540
5	13	C Cal 3.0	3.012	2.984
6	14	C Cal 2.5	2.482	2.505
7	15	C Cal 2.0	1.954	1.994
8	16	C Cal 1.5	1.460	1.525
9	17	C Cal 1.0	0.974	0.988
10	18	C Cal 0.5	0.522	0.498
11	19	C Cal 0.2	0.255	0.195
12	11	H1 High	3.934	4.037
13	19	L1 Low	0.257	0.199
14	19	L1 Low	0.258	0.200
15	21	S BLANK	0.109 ✓	-0.003
16	22	S 0.75 NO2 QCS	0.727	0.731 ✓
17	23	S 0.75 NO3 QCS	0.753 ✓	-0.009
18	24	S RAW INF 08/07	3.591	0.162
19	25	S RAW SPK 10ppm	14.759D	0.142
20	26	S T2 INF	3.192R	0.187
21	27	S T3 INF	2.599	0.436
22	28	S T2 EFF	7.603D	0.012
23	29	S T3 EFF	4.045R	-0.006
24	30	S 002 EFF	<u>5.483D</u>	0.002
25	31	S 002 DUP 08/07	5.479D	0.001
26	32	S BLANK	0.137R ✓	-0.009

$\%Rec = \frac{14.759}{3.591 + 10.0} \times 100 = 109\%$

$\%RPD = \frac{5.483 - 5.479}{\frac{5.483 + 5.479}{2}} \times 100 = 0.2\%$

Appendix A-20-e

BRAN+LUEBBE ACE 6.02

Post-run Report

27	33	S	3.5 NO2 QCS	3.143	3.298 ✓
28	34	S	3.5 NO3 QCS	3.329 ✓	0.002
29	35	S	T2ANA 08/08	0.162	0.012
30	36	S	T2A	7.995D	0.839
31	37	S	T2B	9.265D	0.159
32	38	S	T2C	8.572D	0.027
33	39	S	T2D	6.969D	0.045
34	40	S	T3ANA	0.925R	0.244
35	41	S	T3A	5.495D	0.783
36	42	S	T3B	6.482D	0.532
37	43	S	T3C	6.516D	0.049
38	44	S	T3D 08/08	3.593R	0.149
39	45	S	BLANK	0.142 ✓	-0.011
40	46	S	0.75 NO2 QCS	0.720	0.727 ✓
41	47	S	0.75 NO3 QCS	0.716 ✓	-0.014
42	48	S	10.0 NO3 LCS	9.545D ✓	-0.013
43	49	S	DI WATER	0.118R	-0.014
44	11	D	Drift	3.998	3.984
45	0	B	FinalBase	0.093	-0.012

Dilution-Factor : 6.473 6.387

CORRECTIONS

Channel	:	1	2
Baseline	:	Yes	Yes
Drift	:	Yes	Yes
Carry over	:	Yes	Yes
%:		1.2	1.4

** <END OF REPORT> **

Y-3A

York City



KATHERMAN, HEIM & PERRY

ATTORNEYS AT LAW
345 EAST MARKET STREET
YORK, PENNSYLVANIA 17403
(717) 854-5124
FAX 843-2590
FAX 848-5898 (LCH)

RECEIVED
DEP SOUTHCENTRAL REGION

OCT 22 2012

WQ/WSHD PROGRAMS

J. ROBERT KATHERMAN
L.C. HEIM
RONALD PERRY
STACEY R. MACNEAL

October 19, 2012

VIA CERTIFIED MAIL, RRR
& Regular Mail

Victor Landis
Water Quality Specialist Supervisor
Clean Water Program
Pennsylvania DEP
Southcentral Regional Office
909 Elmerton Avenue
Harrisburg, PA 17110-8200

Re: Settlement Agreement
York City WWTP
NPDES Permit No. PA 0026263
Manchester Township, York County

Dear Mr. Landis:

I am the Solicitor for the York City Sewer Authority. The Authority is in receipt of your correspondence dated October 4, 2012 in reference to the above NPDES Permit. At the Authority's October 17, 2012 meeting, the Authority discussed your correspondence and did vote to approve entering into a settlement agreement that would provide for a Consent Assessment of Civil Penalty in a total amount of \$8,500.00.

Victor Landis
Water Quality Specialist Supervisor
Clean Water Program
Pennsylvania DEP
Page 2
October 19, 2012

I would appreciate your forwarding any necessary paperwork to my attention. If you should need anything further, please let me know.

Very truly yours,
KATHERMAN, HEIM & PERRY



Stacey R. MacNeal

SRM/trw

cc: York City Sewer Authority
Lawrence Lutter, PE

V-3A



The City of York Pennsylvania

101 South George Street ♦ PO Box 509 ♦ York PA 17405

www.yorkcity.org

Honorable C. Kim Bracey, Mayor

James E Gross
Director
Department of Public Works

August 17, 2012

Mr. Victor Landis
Pennsylvania Department of Environmental Protection
Southcentral Region
909 Elmerton Avenue
Harrisburg, PA 17110

Re: York City Wastewater Treatment Plant

Dear Mr. Landis:

This letter serves as an addendum to the August 10, 2012 report submitted for the UV disinfection incident that occurred on August 6 and 7. The laboratory test results for CBOD and ammonia taken on August 6 and August 7, 2012 are as follows:

Parameter	Outfall 002		Outfall 001
	August 6, 2012	August 7, 2012	August 7, 2012
CBOD, mg/l	2	2	3
NH3, mg/l	0.1	0.1	0.2

Copies of the actual lab reports are attached to this letter.

Sincerely,

James E. Gross, Director
Department of Public Works

Attachment

Pc: C. Kim Bracey, Mayor
J. T. Hand – York City Sewer Authority Chairman
Lawrence A. Lutter, P.E.

Ammonia (as N) for Sample Date(s) 8-7-12 - 8-13-12

Date of Analysis: 8/14/12

Time of Analysis: 0950 - 360 8-14-12

1255

Method SM - 4500-NH₃ F

Analyst Name: ehd

Slope: -56.42 mV

(Slope must be between -54 and -60 mV)

Sample Identification	Distilled (X)	Dilution Factor	pH > 11 (X)	Meter Reading NH ₃ mg/L	Final Result NH ₃ mg/L	%Rec: RPD or Std Lot #	QC passed	Quality Control Criteria (see reverse side for actions)
Calibration Blank	X	(None) (:)	X	0.0178	< 0.1		Y/N	Must be less than 0.1 mg/L
Method Blank	X	(None) (:)	X	0.0434	< 0.1		Y/N	Must be less than 0.1 mg/L
QCS (40.0 mg/L)	X	(None) (:)	X	38.6	38.6	S-4376	Y/N	Between 36.0 and 44.0 mg/L
LCS (10.0 mg/L)	X	(None) (:)	X	9.84	9.8	S-4349	Y/N	Between 9.0 and 11.0 mg/L
1 002 8/7	X	(None) (:)	X	0.111	0.1			
2 002 8/8	X	(None) (:)	X	0.106	0.1			
3 002 8/9	X	(None) (:)	X	0.111	0.1			
4 002 8/10	X	(None) (:)	X	0.113	0.1			
5 002 8/11	X	(None) (:)	X	0.0949	< 0.1			
6 002 8/12	X	(None) (:)	X	0.0949	< 0.1			
7 002 8/13	X	(None) (:)	X	0.0938	< 0.1			
8 RAW 8/7	X	(None) (:)	X	15.2	15.2			
9 RAW 8/8	X	(None) (:)	X	17.2	17.2			
10 RAW 8/9	X	(None) (:)	X	16.9	16.9			
Calibration Blank	X	(None) (:)	X	0.0170	< 0.1		Y/N	Must be less than 0.1 mg/L
QCS (0.50 mg/L)	X	(None) (:)	X	0.465	0.47	S-4378	Y/N	Between 0.45 and 0.55 mg/L
11 RAW 8/6	X	(None) (:)	X	14.9	14.9			
12 RAW 8/11	X	(None) (:)	X	14.3	14.3			
13 RAW 8/2	X	(None) (:)	X	15.3	15.3			
14 RAW 8/3	X	(None) (:)	X	16.9	16.9			
15 T1 (20801) FRITD	X	(None) (:)	X	3.01	6.0			
16 I2 (20807) AAR	X	(None) (:)	X	2.29	4.6			
17 I3 (20802) VNC	X	(None) (:)	X	4.69	9.4			
18 I4 (20805) FRITD	X	(None) (:)	X	4.67	9.3			
19		(None) (:)						
20		(None) (:)						
Duplicate I1 (20801)	X	(None) (:)	X	3.03	6.1	RPD = 0.7%	Y/N	Must be within 0 -10 %
Matrix Spike	X	(None) (:)	X	12.6	25.2	%Rec = 97%	Y/N	Must be within 90 -110 %
Calibration Blank	X	(None) (:)	X	0.0156	< 0.1		Y/N	Must be less than 0.1 mg/L
QCS (40.0 mg/L)	X	(None) (:)	X	39.4	39.4		Y/N	Between 36.0 and 44.0 mg/L

Ammonia (as N) for Sample Date(s) 7/31-8/16 (8/17 & 8/20) (8/25)

Date of Analysis: 8/17/12

Time of Analysis: 1100 (even)
1330 (samples)

Method SM - 4500-NH₃ F

Analyst Name: JLF

Slope: -5572 mV

(Slope must be between -54 and -60 mV)

Sample Identification	Distilled (X)	Dilution Factor	pH > 7.1 (X)	Meter Reading NH ₃ mg/L	Final Result NH ₃ mg/L	%Rec: RPD or Std Lot #	QC passed	Quality Control Criteria (see reverse side for actions)
Calibration Blank	—	None (:)	X	0.0984	<0.1		Y/N	Must be less than 0.1 mg/L
Method Blank	X	None (:)	X	0.0612	<0.1		Y/N	Must be less than 0.1 mg/L
QCS (40.0 mg/L)	—	None (:)	X	40.1	40.1	S-4340	Y/N	Between 36.0 and 44.0 mg/L
LCS (10.0 mg/L)	X	None (:)	X	10.1	10.1	S-4349	Y/N	Between 9.0 and 11.0 mg/L
1 002 EFF 7/31	X	None (:)	X	0.167	0.2			
2 002 EFF 8/1	X	None (:)	X	0.113	0.1			
3 002 EFF 8/2	X	None (:)	X	0.127	0.1			
4 002 EFF 8/3	X	None (:)	X	0.0995	0.1			
5 002 EFF 8/4	X	None (:)	X	0.103	0.1			
6 002 EFF 8/5	X	None (:)	X	0.110	0.1			
7 002 EFF 8/6	X	None (:)	X	0.0938	0.1			
8 001 EFF 8/7	X	None (:)	X	0.197	0.2			
9 RAWINF 7/31	X	None (:)	X	4.7	4.7			
10 RAWINF 8/1	X	None (:)	X	16.9	16.9			
Calibration Blank	—	None (:)	X	0.08163	<0.1		Y/N	Must be less than 0.1 mg/L
QCS (0.50 mg/L)	—	None (:)	X	0.460	0.46	S-4342	Y/N	Between 0.45 and 0.55 mg/L
11 RAWINF 8/2	X	None (:)	X	17.2	17.2			
12 RAWINF 8/3	X	None (:)	X	17.9	17.9			
13 RAWINF 8/4	X	None (:)	X	14.8	14.8			
14 RAWINF 8/5	X	None (:)	X	13.5	13.5			
15 RAWINF 8/6	X	None (:)	X	14.9	14.9			
16 TI 1207261 Synth	X	None (1:2)	X	43.7	87.4			
17 TI 1207262 Yes	X	None (1:2)	X	48.2	96.4			
18 TI 1207263 Prep	X	None (1:2)	X	9.80	19.6			
19 TI 1207231 Control	X	None (1:2)	X	21.1	42.2			
20 TI 1207232 Y News	X	None (1:2)	X	4.71	9.4			
Duplicate	X	None (1:2)	X	43.7	87.4	RPD = 0.0%	Y/N	Must be within 0 - 10 %
Matrix Spike	X	None (1:24)	X	23.6	110.4	RPD = 102.8%	Y/N	Must be within 90 - 110 %
Calibration Blank	—	None (:)	X	0.0517	<0.1		Y/N	Must be less than 0.1 mg/L
QCS (40.0 mg/L)	—	None (:)	X	39.8	39.8		Y/N	Between 36.0 and 44.0 mg/L

CITY OF YORK W.W.T.P. STAFF MEETING REPORT

08/24/12

RAW INFLUENT	
B.O.D.	224 (MG/L)
SUSPENDED SOLIDS	226 (MG/L)
PHOSPHORUS (as P)	4.0 (MG/L)
AMMONIA (as N)	15.9 (MG/L)
RAW INFLUENT LOADINGS	
B.O.D.	19,114 (LBS)
SUSPENDED SOLIDS	18,912 (LBS)
PHOSPHORUS (as P)	335 (LBS)
AMMONIA (as N)	1,324 (LBS)
WASTE HAULED TO LANDFILL	
GRIT	(LBS)
SCREENINGS	8,420 (LBS)
SAND TRAP WASTE	(LBS)
TRASH (Y.C.S.W.A.)	(LBS)

POINT SOURCE 002	
TOTAL 002 FLOW	165.480 (M.G.)
AVERAGE 002 FLOW	11.032 (M.G.D.)
C.B.O.D.	2 (MG/L)
SUSPENDED SOLIDS	4 (MG/L)
PHOSPHORUS (as P)	0.8 (MG/L)
AMMONIA (as N)	0.1 (MG/L)
TEMPERATURE	23 (CELCIUS)
MINIMUM pH	7.5 STD. UNITS
MAXIMUM pH	7.7 STD. UNITS
MIN. DISSOLVED O2	7.3 (MG/L)
FECAL COLIFORM	31.00 (/100ML)GM
PLANT PERCENT REMOVALS	
C.B.O.D.	99.0 (%)
SUSPENDED SOLIDS	98.2 (%)
PHOSPHORUS (as P)	79.2 (%)
AMMONIA (as N)	99.2 (%)

ANAEROBIC DIGESTION		
GALLONS OF SLUDGE TO DIGESTERS	73.0 (1000 GALS/DAY)	
AVERAGE DIGESTER TEMPERATURE	99 (DEGREES F.)	
TOTAL DIGESTER GAS PRODUCTION	540.7 (1000 CUBIC FT.)	
AVG. DAILY GAS PRODUCTION	36.0 (1000 CUBIC FT./DAY)	
TOTAL VOLATILE REDUCTION	57.3 %	
GALLONS OF SLUDGE REMOVED FROM DIGESTERS	870.1 (1000 GALLONS)	
AVERAGE METHANE GAS PRODUCED	3.9 CU. FT./# VS DESTROYED	
PER POUND OF VOLATILE SOLIDS DESTROYED		
DEWATERING PROCESS		
GALLONS OF SLUDGE PROCESSED	733.6 (1000 GALLONS)	
DRY TONS OF SLUDGE PROCESSED	45.3 (DRY TONS)	
DRY METRIC TONS PROCESSED	41.1 (DRY METRIC TONS)	
DRY TONS REMOVED PER DAY OF PROCESSING	5.0 (TONS/DAY)	
AVG. FEED SLUDGE % TOTAL SOLIDS	2.1 (%)	
AVG. CAKE % TOTAL SOLIDS	16.3 (%)	
TOTAL POUNDS/COST OF POLYMER USED	5,130 (POUNDS)	5,284 (DOLLARS)
LBS. POLYMER PER DRY TON	64.8 (LBS./ DRY TON)	
FLOW TO GBT	5,340.4 (1000 GALLONS)	
GBT FLOW TO DIGESTERS	1,581.8 (1000 GALLONS)	

AVERAGE TRAIN 2 VALUES		AVERAGE TRAIN 3 VALUES	
F/M RATIO		F/M RATIO	
SVI	81	SVI	70
MCRT	DAYS	MCRT	DAYS
EFFL. NO3	6.9 MG/L	EFFL. NO3	4.6 MG/L

THIS DATA REFLECTS PLANT PERFORMANCE

08/08/12 TO 08/23/12

Y-3A



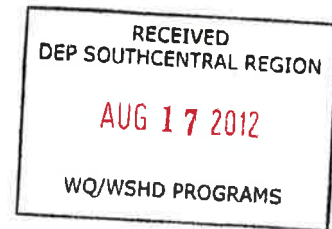
The City of York Pennsylvania

101 South George Street ♦ PO Box 509 ♦ York PA 17405

www.yorkcity.org

Honorable C. Kim Bracey, Mayor

*James E Gross
Director
Department of Public Works*



August 15, 2012

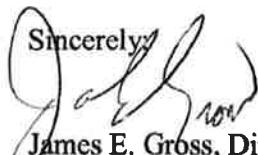
Mr. Victor Landis
Pennsylvania Department of Environmental Protection
Southcentral Region
909 Elmerton Avenue
Harrisburg, PA 17110

Re: York City Wastewater Treatment Plant

Dear Mr. Landis:

Please be advised that Mr. Leo J. Hoffman, Jr. has been named as the Operator in Charge or in Responsible Charge of the York City Wastewater Treatment Plant. Mr. Hoffman's license number is 196708. A copy of his license is attached for your records.

Please contact me if you have any questions.
Thank you.

Sincerely,

James E. Gross, Director
Department of Public Works

Cc: JT Hand, Chairman YCSA
Larry Lutter, Buchart Horn

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Commonwealth of Pennsylvania

Department of Environmental Protection
State Board for Certification of
Water and Wastewater Systems Operators

Client ID: 196708 Expires: Dec 31, 2014
Certificate No. S7235
Class: A,E 1,2,3,4

LEO J HOFFMAN JR
561 SNYDER HOLLOW RD
NEW PROVIDENCE PA 17560-9734

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

LEO J HOFFMAN JR

Is Hereby Authorized to Operate
WASTEWATER SYSTEM

Client ID: 196708

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

LEO J HOFFMAN JR
561 SNYDER HOLLOW RD
NEW PROVIDENCE PA 17560-9734

Issue Date Jan 01, 2012
Expiration Date Dec 31, 2014

Certificate No. S7235

Richard J. Steward
Board Chairman

4-3A



KATHERMAN, HEIM & PERRY

ATTORNEYS AT LAW
345 EAST MARKET STREET
YORK, PENNSYLVANIA 17403
(717) 854-5124
FAX 843-2590
FAX 848-5898 (LCH)

J. ROBERT KATHERMAN
L.C. HEIM
RONALD PERRY
STACEY R. MACNEAL

RECEIVED
SOUTHCENTRAL REGION

OCT 22 2012

WQ/WSHD PROGRAMS

October 19, 2012

VIA CERTIFIED MAIL, RRR
& Regular Mail

Victor Landis
Water Quality Specialist Supervisor
Clean Water Program
Pennsylvania DEP
Southcentral Regional Office
909 Elmerton Avenue
Harrisburg, PA 17110-8200

Re: Settlement Agreement
York City WWTP
NPDES Permit No. PA 0026263
Manchester Township, York County

Dear Mr. Landis:

I am the Solicitor for the York City Sewer Authority. The Authority is in receipt of your correspondence dated October 4, 2012 in reference to the above NPDES Permit. At the Authority's October 17, 2012 meeting, the Authority discussed your correspondence and did vote to approve entering into a settlement agreement that would provide for a Consent Assessment of Civil Penalty in a total amount of \$8,500.00.

Victor Landis
Water Quality Specialist Supervisor
Clean Water Program
Pennsylvania DEP
Page 2
October 19, 2012

I would appreciate your forwarding any necessary paperwork to my attention. If you should need anything further, please let me know.

Very truly yours,
KATHERMAN, HEIM & PERRY



Stacey R. MacNeal

SRM/trw
cc: York City Sewer Authority
Lawrence Lutter, PE

Y-3A

**pennsylvania**DEPARTMENT OF ENVIRONMENTAL PROTECTION
CLEAN WATER PROGRAM

October 4, 2012

CERTIFIED MAIL NO. 7009 2820 0000 5820 0285York City Sewer Authority
c/o Ms. Stacey R. Macneal
Katherman, Heim & Perry
345 East Market Street
York, PA 17403Re: Settlement Agreement
York City WWTP
NPDES Permit No. PA0026263
Manchester Township, York County

Dear Ms. Macneal:

Due to violations of the Clean Streams Law, NPDES Permit No. PA0026263, and the Department's rules and regulations, the Department intends to seek civil penalties for violations that occurred at the York City WWTP on August 6 and 7, 2012.

The Department proposes to settle these violations through execution of a Consent Assessment of Civil Penalty (CACP) for a total amount of **\$8,500.00**. Our assessment was determined following Section 605 of The Clean Streams Law, which takes into consideration the willfulness of the violation, damage to the waters of the Commonwealth, history of noncompliance, and other relevant factors.

Hopefully, you will find this settlement offer, which is made in an effort to avoid litigation, acceptable. Please provide me with your written response within (20) twenty days of the date of this letter, as to whether you accept this settlement offer. No penalty payment is due at this time. Please be advised that unless I hear from you by that time, this settlement offer is withdrawn. Furthermore, the settlement offer, as proposed, is a figure for settlement purposes only, and does not reflect the amount the Department may seek should settlement efforts prove unsuccessful.

If you need additional explanation, please call me at 717.705.4789.

Sincerely,

A handwritten signature in black ink that reads "Victor Landis".

Victor Landis
Water Quality Specialist Supervisor
Clean Water Program

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YORK CITY SEWER AUTHORITY

C/O MS STACEY R MACNEAL

KATHERMAN HEIM & PERRY

345 E MARKET ST

YORK PA 17403

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DEP SOUTH CENTRAL REGION

VICTOR LANDIS
CLEAN WATER PROGRAM
909 ELMERTON AVE
HARRISBURG PA 17110

OCT 09 2012

WQ/WSHD PROGRAMS



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

YORK CITY SEWER AUTHORITY
 C/O MS STACEY R MACNEAL
 KATHERMAN HEIM & PERRY
 345 E MARKET ST
 YORK PA 17403

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X 

Agent
 Addressee

B. Received by (Printed Name)

Sharon Snyder

C. Date of Delivery

10-5

D. Is delivery address different from item 1?

If YES, enter delivery address below: No

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4. Restricted Delivery? (Extra Fee) Yes

2. Article Number: **7009 2820 0000 5820 0285** *CW*

(Transfer from ser

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

In the matter of:

York City Sewer Authority	:	The Clean Streams Law
c/o Ms. Stacey R. MacNeal Esq.	:	NPDES Permit No. PA0026263
Katherman, Heim & Perry	:	Manchester Township
345 East Market Street	:	York County
York, PA 17403	:	

CONSENT ORDER AND AGREEMENT

This Consent Order and Agreement ("COA") is entered into this 12th day of July, 2017, by and between the Commonwealth of Pennsylvania, Department of Environmental Protection ("Department") and the York City Sewer Authority ("YCSA").

FINDINGS

The Department has found and determined the following:

- A. The Department is the agency with the duty and authority to administer and enforce the Pennsylvania Clean Streams Law, the Act of June 22, 1937, P.L. 1987, as amended, 35 P.S. § 691.1 et seq. ("The Clean Streams Law"); Section 1917-A of the Administrative Code, the Act of April 9, 1929, P.L. 177, as amended, 71 P.S. § 510-17 ("Administrative Code") and the rules and regulations promulgated thereunder, and which has been delegated authority to administer the National Pollutant Discharge Elimination ("NPDES") permit program under the Federal Clean Water Act, 33 U.S.C § 1342.
- B. The York City Sewer Authority is a municipal authority formed under the laws of the Commonwealth of Pennsylvania, with a business address of 345 East Market Street, York, Pennsylvania 17403.
- C. The YCSA owns a wastewater treatment plant ("Plant") located in Manchester Township, York County. The YCSA leases back to the City of York ("York City") and York City operates the Plant. The Plant discharges treated wastewater to the Codorus Creek, a water of the Commonwealth, which is protected as a Warm Water Fishery under the Department's regulations at 25 Pa. Code § 93.90. The discharge from the Plant constitutes sewage under Sections 201 and 202 of The Clean Streams Law, 35 P.S. §§ 691.201 and 691.202.

- D. The discharge from the Plant is only authorized by NPDES Permit No. PA0026263 (“NPDES Permit”) issued by the Department on January 31, 2008, pursuant to Sections 201 and 202 of the Clean Streams Law, 35 P.S. §§ 691.201 and 691.202. The NPDES Permit became effective on February 1, 2008, and expired at midnight on January 31, 2013. The YCSA’s application for permit renewal was received on July, 7, 2012, and the Plant discharge continues to be authorized under its NPDES Permit by virtue of its timely renewal application.
- E. A discharger is required by its NPDES Permit and Sections 201 and 202 of the Clean Streams Law, 35 P.S. §§ 691.201 and 691.202, to fully comply with the requirements set forth in the NPDES permit.
- F. At times between January 2012 and February 2016, YCSA discharged wastewater contrary to the terms and conditions set forth in its NPDES permit. The violations are fully listed in Exhibit Number 1, which is attached hereto and incorporated herein by reference.
- G. On February 25, 2016, the Department responded to a reported incident where the Plant lost power and experienced treatment unit overflows. During the response, the Department discovered that on February 24, 2016, an equipment failure caused the Plant to lose power for approximately 2.5 hours which caused treatment tankage to overflow sewage on to the surface of the ground. The sewage overflows subsequently discharged into the onsite stormwater collection and conveyance system and, once power was restored, Plant staff manually operated the stormwater discharge pumps and discharged approximately 450,000 gallons of sewage and contaminated stormwater into the Codorus Creek.
- H. On March 23, 2016, the Department mailed a Notice of Violation (“March 23, 2016 NOV”) to YCSA for the violations listed in Paragraph G, above. In the March 23, 2016 NOV, the Department requested a written report summarizing the bypass incident, and cleanup activities and the measures taken to preclude future incidents.
- I. On April 25, 2016, the Department received the response from YCSA to the NOV noted in Paragraph H, above. In its NOV response, YCSA summarized the cause of the incident, cleanup activities and identified new corrective actions and procedures to preclude similar incidents in the future.

- J. On June 6, 2016, the Department conducted a compliance evaluation inspection at the Plant. During the inspection, the Department discovered the following violations:
1. The influent flow meter was unable to provide accurate flow monitoring results due to the flow meter's location and maintenance and repair of the influent grit removal system.
 2. The effluent flow meter was unable to provide accurate flow monitoring results when effluent flows exceed 20 million gallons per day ("MGD"). The design flow of the Plant is 26 MGD.
 3. The influent and effluent composite samplers were not collecting representative, flow proportioned composite samples due to the inaccurate flow monitoring.
 4. Two of the five secondary effluent sand filtration units were malfunctioning or not fully operational.
- K. On June 28, 2016, the Department conducted a follow-up inspection at the Plant. During the inspection, the Department noted recurring violations for the violations cited in Paragraphs J.1 through J.3, above, and discovered new violations for the following items:
1. Composite samples for treatment train #2 secondary clarifier effluent bypasses were collected in a location where stormwater mixes with the bypass discharge and are not considered representative.
 2. An unpermitted stormwater outfall to the Codorus Creek located on the south side of the Plant adjacent to the head-works treatment units.
 3. An inoperable sluice gate valve on a 36" gravity discharge pipe to permitted outfall 001 allows unmetered discharges from the stormwater collection basin to the Codorus Creek.
- L. On July 1, 2016, the Department mailed a Notice of Violation ("July 1, 2016 NOV") to YCSA for the violations noted in Paragraphs J and K, above. In the July 1, 2016 NOV, the Department requested a written report summarizing the cause of each violation, any steps taken to alleviate or correct each violation and any planned changes at the Plant to preclude such violations in the future.

- M. On July 27, 2016, the Department received YCSA's response to the July 1, 2016 NOV noted in Paragraph L, above. In its response, YCSA outlined corrective actions, with implementation schedules, to address the violations noted in the July 1, 2016 NOV.
- N. On July 12, 2016, the Department met with YCSA's secretary and contracted engineering firm. During the meeting, the Department proposed entering into a COA to set corrective action schedules for resolve the violations noted in paragraphs J and K, above. Additionally, the proposed COA would assess a civil penalty to resolve the violations cited by the Department during its investigation of the unpermitted discharge of sewage noted in Paragraph G and for the violations noted in Paragraphs J and K, above.
- O. On August 29, 2016, the Department mailed a letter to YCSA as a follow-up to the July 12, 2016 meeting noted in Paragraph N, above. In its letter, the Department noted that the hydraulic overload conditions reported in the 2015 Chapter 94 Report were resolved after YCSA's contracted engineering firm resubmitted sanitary sewer interceptor flow data. Additionally, the Department's letter requested that YCSA clarify a possible discrepancy regarding the 18 MGD design flow and the 26 MGD permitted flow capacity at the YCSA Plant.
- P. On September 22, 2016, the Department received YCSA's response to the August 29, 2016 letter noted in Paragraph O, above. In its response, YCSA discussed the Department's issuance of the Water Quality Management Part II Permit ("WQM Part II Permit") No. 6709402 on November 24, 2009 approving a two-phase plan for the upgrade of the Plant due to affordability. The WQM Part II Permit approved the upgrade of the treatment trains #2 and #3 to meet nutrient discharge loading discharge limits included in its NPDES Permit at a design flow of 18 MGD, but also included a narrative condition requiring the facility to meet hydraulic and organic loadings at 26 MGD, the permitted design flow of the Plant. The narrative requires YCSA to automatically implement the second phase of the Plant upgrade when the Plant's reported or projected average monthly flows in its Chapter 94 Reports exceed 18 MGD.
- Q. The conditions described in Paragraphs F, G, J and K, above, are contrary to the requirements of NPDES Permit No. PA0026263, and Sections 201 and 202 of the Clean Streams Law, 35 P.S. §§ 691.201 and 691.202.
- R. The violations described in paragraphs Q, above, constitute unlawful conduct under Section 611 of The Clean Streams Law, 35 P.S. § 691.611; and subject YCSA to a claim for civil penalties under Section 605 of The Clean Streams Law, 35 P.S. § 691.605.

ORDER

After full and complete negotiation of all matters set forth in this COA and upon mutual exchange of covenants contained herein, the parties desiring to avoid litigation and intending to be legally bound, it is hereby ORDERED by the Department and AGREED to by YCSA as follows:

1. **Authority.** This COA is an Order of the Department authorized and issued pursuant to Section 5 of the Clean Streams Law, 35 P.S. § 691.5; and Section 1917-A of the Administrative Code, 71 P.S. § 510-17.
2. **Findings.**
 - a. YCSA agrees that the findings in paragraphs A through R are true and correct, and in any matter or proceeding involving YCSA and the Department, the YCSA shall not challenge the accuracy or validity of these findings.
 - b. The parties do not authorize any other persons to use the findings in this COA in any matter or proceeding.
3. **Corrective Action.**
 - a. Within thirty (30) calendar days of the execution date of this COA, YCSA shall submit, for Department review and comment, a revised High Flow Management Plan ("HFMP"). The revised HFMP shall specify that, under high flow conditions, the Train #2 secondary clarifier bypass to permitted outfall 001 may be placed in service at influent flow rates greater than 53 MGD, the maximum design flow of the sand filter units. Additionally, the HFMP shall include procedures for the collection, analysis and reporting of grab and composite samples from the train #2 secondary clarifier effluent bypass as required by NPDES Permit No. PA0026263.
 - b. Within ninety (90) calendar days of the execution date of this COA, YCSA shall submit, for Department review, a licensed professional engineer's evaluation of the permitted outfall 002 final effluent flow meter system. Specifically, the engineering evaluation shall determine if the supplementary flow meter systems installed on the dual 36-inch flow final effluent discharge pipes are producing accurate and precise flow measurement data to 60.5 MGD, the maximum forward pumping capacity at the Plant. If the engineering evaluation determines that the replacement of the final effluent flow meter is needed, YCSA shall complete the installation of the new flow meter within two hundred and seventy (270) calendar days.

- c. Within one hundred and eighty (180) calendar days of the execution date of this COA, YCSA shall repair or replace the sluice gate valve on the gravity discharge line from the Plant stormwater collection basin to permitted outfall 001.
 - d. If the Department requires additional information to review and approve any submittal necessary to comply with this COA, the YCSA shall submit the requested information within ten (10) business days of the YCSA's receipt of the Department's notice that such information is required; however, upon written request, including a justification from the YCSA, the Department may allow an extension of time for the YCSA to respond to the Department's request for additional information.
 - e. Within fifteen (15) calendar days of completing each corrective action identified in the Corrective Action section, the YCSA shall submit written verification to the Department of the date the action was completed.
4. **Civil Penalty Settlement.** Within thirty (30) days of the date of this COA, the YCSA shall pay a civil penalty of \$20,163.00. This payment is in settlement of the Department's claim for civil penalties for the violations set forth in Paragraphs F, G, J and K above. The payment shall be by corporate check or the like, made payable to "Commonwealth of Pennsylvania" with a notation of "Clean Water Fund" on the memo line and sent c/o Erick M Ammon, Environmental Compliance Specialist, DEP Water Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200.

5. Stipulated Civil Penalties.

- a. In the event the YCSA fails to comply in a timely manner with any term or provisions of this COA, the YCSA shall be in violation of this COA and, in addition to other applicable remedies, shall pay a civil penalty in the amount determined under the following schedule:
 - i. For any violation of Paragraph 3, \$100.00 per day for each violation, and \$200 per day for each violation extending beyond the first 30 days.
- b. Stipulated civil penalty payments shall be payable monthly on or before the fifteenth day of each succeeding month, and shall be forwarded as described in Paragraph 4 (Civil Penalties) above.
- c. Any payment under this paragraph shall neither waive the YCSA's duty to meet its obligations under this COA nor preclude the Department from commencing an action to compel the YCSA's compliance with the terms and conditions of this COA. The

payment resolves only the YCSA's liability for civil penalties arising from the violations of this COA for which the payment is made.

6. Additional Remedies.

- a. In the event the YCSA fails to comply with any provision of this COA, the Department may, in addition to the remedies prescribed herein, pursue any remedy available for a violation of an order of the Department, including an action to enforce this COA.
- b. The remedies provided by this paragraph and Paragraph 5 (Stipulated Civil Penalties) are cumulative and the exercise of one does not preclude the exercise of any other. The failure of the Department to pursue any remedy shall not be deemed to be a waiver of that remedy. The payment of a stipulated civil penalty, however, shall preclude any further assessment of civil penalties for the violation for which the stipulated penalty is paid.

7. Reservation of Rights. The Department reserves the right to require additional measures to achieve compliance with applicable law. The YCSA reserves the right to challenge any action which the Department may take to require those measures.

8. Liability of Operator. YCSA shall be liable for any violations of the COA, including those caused by, contributed to, or allowed by its officers, agents, employees, or contractors. The YCSA also shall be liable for any violation of this COA caused by, contributed to, or allowed by its successors and assigns.

9. Transfer of Site.

- a. The duties and obligations under this COA shall not be modified, diminished, terminated or otherwise altered by the transfer of any legal or equitable interest in the Facility or any part thereof.
- b. If the YCSA intends to transfer any legal or equitable interest in the Facility which is affected by this COA, The YCSA shall serve a copy of this COA upon the prospective transferee of the legal and equitable interest at least thirty (30) days prior to the contemplated transfer and shall simultaneously inform the Southcentral Regional Office of the Department of such intent.
- c. The Department in its sole discretion may agree to modify or terminate YCSA's duties and obligations under this COA upon transfer of the Facility. The YCSA

waives any right that it may have to challenge the Department's decision in this regard.

10. **Correspondence with Department.** All correspondence with the Department concerning this COA shall be addressed to:

Erick M. Ammon
Environmental Protection Compliance Specialist
PADEP Clean Water Program
Southcentral Regional Office
909 Elmerton Avenue
Harrisburg, PA 17110-8200
Ph: 717.705.4775
Fax: 717.705.4760
Email: eammon@pa.gov

11. **Correspondence with the YCSA.** All correspondence with the YCSA concerning this COA shall be addressed to:

Ms. Stacey R. MacNeal Esq.
YCSA Solicitor
Katherman, Heim & Perry
345 East Market Street
York, PA 17403
Ph: 717.854.5124
Email: stacey@khlaw.us

The YCSA shall notify the Department whenever there is a change in the contact person's name, title, or address. Service of any notice or any legal process for any purpose under this COA, including its enforcement, may be made by mailing a copy by first class mail to the above address.

12. **Force Majeure.**

- a. In the event that the YCSA is prevented from complying in a timely manner with any time limit imposed in this COA solely because of a strike, fire, flood, act of God, or other circumstance beyond the YCSA's control and which the YCSA, by the exercise of all reasonable diligence, is unable to prevent, then the YCSA may petition the Department for an extension of time. An increase in the cost of performing the obligations set forth in this COA shall not constitute circumstances

beyond the YCSA's control. The YCSA's economic inability to comply with any of the obligations of this COA shall not be grounds for any extension of time.

- b. YCSA shall only be entitled to the benefits of this paragraph if it notifies the Department within five (5) working days by telephone and within ten (10) working days in writing of the date it becomes aware or reasonably should have become aware of the event impeding performance. The written submission shall include all necessary documentation, as well as a notarized affidavit from an authorized individual specifying the reasons for the delay, the expected duration of the delay, and the efforts which have been made and are being made by the YCSA to mitigate the effects of the event and to minimize the length of the delay. The initial written submission may be supplemented within ten working days of its submission. The YCSA's failure to comply with the requirements of this paragraph specifically and in a timely fashion shall render this paragraph null and of no effect as to the particular incident involved.
 - c. The Department will decide whether to grant all or part of the extension requested on the basis of all documentation submitted by the YCSA and other information available to the Department. In any subsequent litigation, the YCSA shall have the burden of proving that the Department's refusal to grant the requested extension was an abuse of discretion based upon the information then available to it.
13. **Severability.** The paragraphs of this COA shall be severable and should any part hereof be declared invalid or unenforceable, the remainder shall continue in full force and effect between the parties.
 14. **Entire Agreement.** This COA shall constitute the entire integrated agreement of the parties. No prior or contemporaneous communications or prior drafts shall be relevant or admissible for purposes of determining the meaning or extent of any provisions herein in any litigation or any other proceeding.
 15. **Attorney Fees.** The parties shall bear their respective attorney fees, expenses and other costs in the prosecution or defense of this matter or any related matters, arising prior to execution of this COA.
 16. **Modifications.** No changes, additions, modifications, or amendments of this COA shall be effective unless they are set out in writing and signed by the parties hereto.
 17. **Titles.** A title used at the beginning of any paragraph of this COA is provided solely for the purpose of identification and shall not be used to interpret that paragraph.

18. **Decisions Under Consent Order.** Any decision which the Department makes under the provisions of this COA, including a notice that stipulated civil penalties are due, is intended to be neither a final action under 25 Pa. Code § 1021.2, nor an adjudication under 2 Pa. C.S. § 101. Any objection which the YCSA may have to the decision will be preserved until the Department enforces this COA.

19. **Termination.** Paragraph 5 of this COA shall terminate after the YCSA has completed to the Department's satisfaction the actions required in paragraph 3, and paid any stipulated penalties due under paragraph 5.

IN WITNESS WHEREOF, the parties hereto have caused this COA to be executed by their duly authorized representatives. The undersigned representatives of the YCSA certify under penalty of law, as provided by 18 Pa. C.S. § 4904, that they are authorized to execute this COA on behalf of the YCSA; that the YCSA consents to the entry of this COA as a final ORDER of the Department; and that YCSA hereby knowingly waives its right to appeal this COA and to challenge its content or validity, which rights may be available under Section 4 of the Environmental Hearing Board Act, Act of July 13, 1988, P.L. 530, 35 P.S. § 7514; the Administrative Agency Law, 2 Pa. C.S. § 103(a) and Chapters 5A and 7A; or any other provisions of law.

FOR YORK CITY SEWER AUTHORITY:

FOR THE COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION:

Barack J. Solozky
YCSA Pres./Director Title Date: 7-10-11

Maria D. Bebenek 7/12/17
Date: Maria D. Bebenek, P.E.
Program Manager
Clean Water Program

Philip W. Burtell
YCSA Secretary/Treasurer Title Date: 7-10-11

Beth Liss Shuman 7/12/2017
Date: Beth Liss Shuman
Assistant Counsel

Randy Hurst 7/5/17
Date: Randy Hurst, Esq.
Attorney for YCSA

Exhibit 1

York City Sewer Authority wastewater treatment plant

NPDES Permit No. PA0026263

DMR violations reported by the YCSA between January 2013 and February 2016.

DMR Month	Outfall	Parameter		DMR Value	Permit Limit
Jan-13	2	Ammonia-Nitrogen	Ave. Mo.	3.1 mg/L	2.1 mg/L
Feb-13	2	Ammonia-Nitrogen	Ave. Mo.	742 lbs/day	455 lbs/day
Feb-13	2	Ammonia-Nitrogen	Ave. Mo.	7.9 mg/L	2.1 mg/L
Mar-13	2	Ammonia-Nitrogen	Ave. Mo.	2.9 mg/L	2.1 mg/L
Oct-13	2	Total Suspended Solids	Wk. Ave.	15,170 lbs/day	9,758 lbs/day
Oct-13	1	CBOD5	Wk. Ave.	26 mg/L	22 mg/L
Oct-13	1	Total Phosphorus	Ave. Mo.	2.6 mg/L	2 mg/L
Oct-13	1	Dissolved Oxygen	Minimum	1.7 mg/L	5 mg/L
Oct-13	1	Total Suspended Solids	Wk. Ave.	58 mg/L	45 mg/L
Oct-13	1	Total Suspended Solids	Ave. Mo.	58 mg/L	30 mg/L
Oct-13	1	Ammonia-Nitrogen	Ave. Mo.	3.1 mg/L	1.7 mg/L
Oct-13	1	CBOD5	Ave. Mo.	26 mg/L	15 mg/L
Feb-14	1	Dissolved Oxygen	Minimum	3.6 mg/L	5 mg/L
Mar-14	2	Total Suspended Solids	Ave. Mo.	49 mg/L	30 mg/L
Mar-14	1	Dissolved Oxygen	Minimum	2.6 mg/L	5 mg/L
Mar-14	2	Total Suspended Solids	Ave. Mo.	11,441 lbs/day	6,505 lbs/day
Apr-14	2	Total Suspended Solids	Wk. Ave.	45,622 lbs/day	9,758 lbs/day
Apr-14	2	Total Suspended Solids	Ave. Mo.	7,425 lbs/day	6,505 lbs/day
Apr-14	2	CBOD5	Wk. Ave.	11,634 lbs/day	6,505 lbs/day
Apr-14	2	CBOD5	Wk. Ave.	43 mg/L	30 mg/L
Apr-14	2	Total Suspended Solids	Wk. Ave.	167 mg/L	45 mg/L
Mar-15	2	Total Suspended Solids	Wk. Ave.	68 mg/L	45 mg/L
Mar-15	2	Total Suspended Solids	Wk. Ave.	13,545 lbs/day	9,758 lbs/day
Feb-16	1	Total Phosphorus	Ave. Mo.	2.26 mg/L	2 mg/L
Feb-16	1	Total Suspended Solids	Wk. Ave.	80.3 mg/L	45 mg/L
Feb-16	1	CBOD5	Ave. Mo.	76.56 mg/L	20 mg/L
Feb-16	1	Total Suspended Solids	Ave. Mo.	80.3 mg/L	30 mg/L
Feb-16	1	CBOD5	Ave. Mo.	76.56 mg/L	30 mg/L



KATHERMAN, HEIM & PERRY

ATTORNEYS AT LAW
345 EAST MARKET STREET
YORK, PENNSYLVANIA 17403
(717) 854-5124
FAX 843-2590
FAX 848-5898 (LCH)

J. ROBERT KATHERMAN
L.C. HEIM
RONALD PERRY
STACEY R. MACNEAL

July 10, 2017

Beth Liss-Shuman, Esq.
Department of Environmental Protection
Office of Chief Counsel
Southcentral Regional Office
909 Elmerton Avenue
Harrisburg, PA 17110-8200

Re: York City Sewer Authority Consent Order and Agreement

Dear Ms. Liss-Shuman:

Enclosed please find four (4) original Consent Order and Agreement for execution by the Department of Environmental Protection. Please return one fully executed original to each of York City Sewer Authority's attorneys:

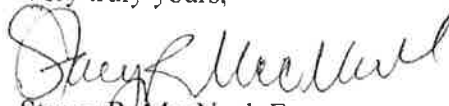
Randall G. Hurst, Esq.
Mette, Evans & Woodside
3401 North Front Street, P.O. Box 5950
Harrisburg, PA 17110-0950

Stacey R. MacNeal, Esq.
Katherman, Heim & Perry
345 East Market Street
York, PA 17403

Upon receipt of the fully executed Agreement, the penalty payment will be forwarded per your directions.

If you should need anything further, please let me know.

Very truly yours,


Stacey R. MacNeal, Esq.
KATHERMAN, HEIM & PERRY

SRM/rnk
Enclosures

cc: Randall G. Hurst, Esq. (via email, w/ enc.)
York City sewer Authority (via email, w/enc.)
Paul Gross, PE (via email, w/enc.)



The City of York Pennsylvania

101 South George Street ❖ PO Box 509 ❖ York PA 17401

www.yorkcity.org

Honorable C. Kim Bracey, Mayor

PA0026263

EED: 356142

*Chaz A. Green
Acting Director
Department of Public Works*

RECEIVED

JUL 26 2017

July 24, 2017

DEP SOUTHCENTRAL OFFICE
CLEAN WATER PROGRAM

Department of Environmental Protection
Attn: Erick M Ammon,
Environmental Compliance Specialist, DEP Water Management Program
909 Elmerton Avenue
Harrisburg, PA 17110-8200

Dear Mr. Ammon:

Enclosed please find City of York check number 0318434 in the amount of Twenty Thousand, One Hundred and Sixty-Three (\$20,163.00) Dollars representing our settlement of the Department's claim for civil penalties against our violations.

If you should need anything further, please let me know.

Sincerely,

Chaz A. Green, Acting Director
Department of Public Works

- cc: Mayor C. Kim Bracey (Via email)
- York City Sewer Authority (Via email)
- Stacey R. MacNeal, Esq. (Via email)
- Frankie Campagne, Plant General Manager (Via email)
- Paul Gross, P.E. (Via email)

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER THAT IS SENSITIVE TO CHEMICAL-ALTA RATION

Appendix A-20-e
0318434

4425012

CITY OF YORK
YORK, PENNSYLVANIA
ACCOUNTS PAYABLE

VOID AFTER 60 DAYS
Fulton Bank N.A.

60-142
313

CHECK NO.

*** Twenty Thousand One Hundred Sixty Three and 00/100 Dollars

DATE
July 21 2017

AMOUNT
\$ 20,163.00***

PAY
TO THE
ORDER
OF

COMMONWEALTH OF PA/ENVIRON PROTECT

DEP BUREAU OF WATERSHED
MGMT 909 ELMERTON AVE
HARRISBURG, PA 17110-8200

C. Kim Bracy

[Signature]

MP
CW

FOR SECURITY, THIS DOCUMENT CONTAINS MICROPRINTING IN SIGNATURE LINE, AND A REFLECTIVE WATERMARK ON BACK - HOLD AT AN ANGLE TO

CW

Clean Water Program
Compliance Check Distribution Form

Name: CITY OF YORK
County: York Municipality: Manchester Twp
Permit No. PA0026253 Efacts Id: 356142
Action: CCA
Date Rcv'd: 7/26/17 Amount: \$20,163.⁰⁰

GL	COST CENTER	FUND	SHORT DESCRIPTION	AMOUNT
4425012	3544360000	6007200001	Fines & Penalties Clean Water Fund	\$ 20,163. ⁰⁰
Total Check Amount				\$ 20,163. ⁰⁰

From: *[Signature]* (Compliance Specialist)

CITY OF YORK

0318434

Vendor : VN-0002029, COMMONWEALTH OF PA/ENVIRON PROTECT, Check - 318434

Invoice No. Date Description Gross amount Cash discount Payment amount

PA0026263 6/15/2017 COA

20,163.00

0.00 20,163.00

Total

20,163.00

Clean Water Fund

RECEIVED

JUL 26 2017

DEP SOUTHCENTRAL OFFICE
CLEAN WATER PROGRAM