

November 1, 2021

Via Electronic Filing

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
400 North Street, 2nd Floor
Harrisburg, PA 17120

Re: PaPUC Docket No. M-2018-2645983
Pa. P.U.C. v. North Heidelberg Sewer Company

PaPUC Docket No. I-2018-3001161
Section 529 Investigation – North Heidelberg Sewer Company

Dear Secretary Chiavetta:

We are counsel to Aqua Pennsylvania Wastewater, Inc. concerning the above matters and are submitting, via electronic filing with this letter, Aqua's Fifteenth Status Report dated November 1, 2021. We are also filing the Fifteenth Status Report at I-2018-3001161, the Section 529 Investigation Docket. Please contact me with any questions concerning this matter.

Very truly yours,

THOMAS, NIESEN & THOMAS, LLC

By 

Thomas T. Niesen

Enclosure

cc: The Honorable Steven K. Haas (via email, w/encl.)
Carrie B. Wright, Prosecutor (via email, w/encl.)
Christine Maloni Hoover, Interim Acting Consumer Advocate (via email, w/encl.)
Erin Fure, Assistant Small Business Advocate (via email, w/encl.)
Sean Cooper, Esq. (via email, w/encl.)
Tori L. Giesler, Esq. (via email, w/encl.)
Aaron J. Beatty, Esq. (via email, w/encl.)
Susan Simms Marsh, Esq. (via email, w/encl.)
John D. Hollenbach (via email, w/encl.)
Alexander R. Stahl, Esq. (via email, w/encl.)



FIFTEENTH STATUS REPORT
TO THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

NORTH HEIDELBERG SEWER COMPANY
AQUA PENNSYLVANIA WASTEWATER, INC., AS RECEIVER

DOCKET NO. M-2018-2645983

DOCKET NO. I-2018-3001161

Dated: November 1, 2021

A. BACKGROUND

On February 9, 2018, the Pennsylvania Public Utility Commission (“PUC” or the “Commission”) entered an Order in Docket No. M-2018-2645983 (“February 9 Order”) naming Aqua Pennsylvania Wastewater, Inc. (“Aqua” or the “Company”) as receiver for the North Heidelberg Sewer Company (“NHSC”). Aqua was directed to assume its receivership role on March 5, 2018. Included within the PUC’s February 9 Order, the Company was directed to “[s]ubmit an initial status report with the Commission within 60 days of assuming operations and then quarterly thereafter to detail any relevant updates pursuant to duties and responsibilities assigned through receivership.”¹

Aqua submitted its initial status report on the operations of NHSC as directed by the Commission on May 4, 2018. Aqua submitted its second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth and fourteenth status reports to the Commission on August 6, 2018, November 5, 2018, February 3, 2019, May 7, 2019, August 5, 2019, November 4, 2019, February 3, 2020, May 4, 2020, August 3, 2020, November 2, 2020, February 1, 2021, May 3, 2021, and August 2, 2021, respectively. Aqua now submits its fifteenth status report on the operations of NHSC to the Commission.

On September 14, 2021, Aqua submitted a Petition to Affirm and Clarify the Conditions Set Forth in Appendix A of the Opinion and Order Entered February 9, 2018, at Docket No. M-2018-2645983 (“September 2021 Petition”). The September 2021 Petition sought to clarify and ensure that the Company could expeditiously remediate and rebuild the NHSC wastewater treatment facilities that experienced extraordinary storm damage from Hurricane Ida. The Commission issued its Order Entered October 7, 2021 (“October 7 Order”), amending Appendix A to the February 9 Order requiring Aqua to identify, list, and undertake the capital investments required to fully remediate extraordinary storm damage sustained by NHSC. As part of the Commission’s October 7 Order, the Commission required, on a going forward basis beginning with the November 1, 2021 status report, that Aqua provide data regarding the estimated cost of repairs versus the estimated cost of replacement of the affected NHSC facilities, timelines for implementing those options, and the option that Aqua selects or intends to select. The Commission required this ongoing reporting until all necessary capital improvements have been completed and placed in service.

B. FIFTEENTH STATUS REPORT

1. Operations and Capital Expenditures

On March 5, 2018, Aqua assumed its role as receiver for NHSC. Since the fourteenth status report, filed by Aqua on August 2, 2021, the NHSC system experienced extraordinary damage from Hurricane Ida on September 1 and 2, 2021.

As detailed in the Company’s September 2021 Petition, with the heavy rainfall from Hurricane Ida, the NHSC plant treatment process was out of service. A culvert for the stream

¹ Pa. P.U.C. v. North Heidelberg Sewer Co., Docket No. M-2018-2645983, Opinion and Order Appendix A Paragraph 1.o. (Feb. 9, 2018).

adjacent to the plant partially collapsed causing stormwater to back-up into the treatment plant and submerging two system flow equalization tanks and two waste sludge holding tanks. The flow equalization tank forward feed pumps' electrical control panel, the control building, an emergency generator and the facility aeration blower system were also submerged.

The flooding of the control building caused an effluent rapid sand filter tank with an ultraviolet disinfection system to float upward and damage the building roof. Flooding also damaged the foundation footer of the building wall. The Pennsylvania Department of Environmental Protection Sewage Compliance Inspection Report related to the damage from Hurricane Ida to the NHSC plant is included with this status report as **Attachment A**.

Aqua implemented a pump and haul operation of raw wastewater to maintain service to NHSC customers. The pump and haul operation continued until the culvert was replaced and the treatment process was brought back online. Please refer to **Attachment B** for a detailed listing of repairs and replacements completed to restore operational function of the NHSC plant.

Aqua has begun assessment of alternatives to upgrading and improving the NHSC plant and has identified three alternatives: (1) rehabilitate the existing facility; (2) relocate the NHSC plant uphill from the current location and convert the existing plant to a pump station to pump wastewater to the new location; and (3) demolish the existing plant and then pump flows to another system for treatment. The preliminary assessment of the alternatives is being reviewed by Aqua and the Company will provide an update to this status report upon completion of that review.

As Aqua continues to make improvements to ensure quality and reliable service, Aqua will provide progress and cost updates consistent with the Commission's February 9 Order and October 7 Order. Aqua will have further information on operational issues in later reports.

2. Financial

In Aqua's fifth status report to the Commission, filed on May 7, 2019, Aqua submitted trial balances for NHSC for year-end 2017 and a balance sheet and income statement for NHSC as of March 5, 2018 which was the beginning of Aqua's receivership.

3. Acquisition of System

The Commission has requested that the ALJ issue a decision no later than June 30, 2022 regarding the NHSC 529 Proceeding. The Company will actively participate in the proceeding.

C. CONCLUSION

Aqua will continue to investigate the system's operations and financial status and will make necessary improvements to operate NHSC to ensure quality service to the NHSC customers for the period of its receivership duties during the 529 proceeding. Aqua will provide its next status report on or before January 31, 2022.

Attachment A



SEWAGE COMPLIANCE INSPECTION REPORT

NPDES / WQM Permit No. PA0033766	Mo/Day/Year 09/08/2021	Entry Time	Exit Time	Inspection Type INCDT	eFACTS Inspection ID 3247882
Facility Name: North Heidelberg Sewer Company			Permittee Name: North Heidelberg Sewer Company		
Physical Location/Directions: WWTP off Koenig Road. (Dirt road adjacent to property at 223 Koenig Road)				Permit Expiration Date: 4/30/2014	
Municipality: Jefferson Township		County: Berks		Permit Renewal Application Due: pending	
Facility Type: <input type="checkbox"/> Municipal <input type="checkbox"/> Major <input checked="" type="checkbox"/> Non-Municipal <input checked="" type="checkbox"/> Minor		Treatment Process: <input checked="" type="checkbox"/> Ext Aeration <input type="checkbox"/> Contact Stabilization <input type="checkbox"/> SBR <input type="checkbox"/> RBC <input type="checkbox"/> MBR <input type="checkbox"/> MBBR/IFAS <input type="checkbox"/> Trickling Filter <input type="checkbox"/> Lagoon			
Design Flow: MGD		<input type="checkbox"/> Other:			
Responsible Official: Aqua America			Does the facility have an Operator in Responsible Charge: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Title: Reciever			Operator Name: Mr. Jeffrey Grassley		
Permittee Address: 762 W. Lancaster Avenue Bryn Mawr, PA 19010			Circuit Rider: <input type="checkbox"/> Yes <input type="checkbox"/> No		
			Client ID: 197254 License Expiration Date: 10/5/2020		
			Class-Subclass(es): A,1		
			Operator properly certified for treatment process type: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Business Phone:			Business Phone: 215-910-2519		
Cell Phone:			Cell Phone:		
Email:			Email: jgrassley@comcast.net		
24-Hour Emergency Contact Person / Phone / Email: Mr. Jeffrey Grassley					
VIOLATIONS: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> None Identified During Inspection <input type="checkbox"/> Pending Sample Results					
Discharge of raw or untreated sewage to the surface of the ground is a violation of Section 201 and Section 202 of the Clean Streams Law					
Recommendations: Provide updates to the Department as site conditions change Please provide specification for the replacement UV unit and other replacement units if applicable Maintain accessibiliy to the STP outfall. Check conditions at the outfalls.					
Person Interviewed:	Date:	Inspector: Kevin Buss		Date: 9/10/21	
Signature:	Phone No.:	Inspector Signature: <i>Kevin Buss</i>		Phone No.: 717-705-4650	
Title:	Title: Enviornmental Compliance Specialist				
Email:	Email: kbuss@pa.gov				
This document is official notification that a representative of the Department of Environmental Protection inspected the above facility. The findings of this inspection are shown above and on any attached pages. * Any violations which were noted during the inspection are indicated. Violations may also be discovered upon examination of the results of laboratory analyses of the discharge and/or review of Department records.					

Comments

Unaccompanied inspection of the North Heidelberg STP. The STP is offline following flooding related to Hurricane Ida. A culvert for the stream adjacent to the STP, UNT Northkill Creek, failed flooding the plant.

On 9/8/2021 at 14:57 I received a phone call from Kyle McCollough, Aqua America Area Supervisor III: Flood water has receded from around the plant, but the control building is structurally damaged and unsafe to occupy. Aqua is working to set up a pump and haul operation out of the EQ tank with Godwin pumps to two 20,000-gallon frac tanks. (with alarms). Aqua is working on the assumption that the blowers are damaged and is bringing in replacement units to attach to existing aeration headers. Aqua is planning to bring in a replacement UV unit which is oversized for the plant. The discharge line is separated from the tankage and effluent is not reaching the outfall.

I followed up with a site visit. I could not access the STP during the inspection; the inspection was conducted from outside the perimeter fence. Treatment units are offline. The sinkhole was observed on the golf cart path between the STP and the stream—This is the site of the culvert collapse (Figure 1). There are sewage solids on the ground around the treatment units on the east side of the control building (Figure 2). Access to the outfall is very overgrown. I attempted to locate the outfall but was unable. No apparent sewage solids were noted at Northkill Creek. A small volume of turbid water was observed flowing adjacent to the EQ tank and infiltrating into the gravel, possibly raw sewage. Following the site visit I called Mr. McCollough and recommended notifying downstream users of site conditions.

I called Mr. McCollough on 9/10/2021 at 12:50: Aqua elected to install 3 20,000-gallon frac tanks which are now onsite and recently starting receiving flow from a 4" Godwin Pump. A backup pump is onsite and available. The frac tanks are equipped with a high-level alarm. Kleins has been hired as a hauler and will offload up to 40,000 gpd at Bernville WWTP. A second location will be needed to accept flow above 40,000 gpd. The blower motors have been replaced. The blowers are operational, but offline.

Photos



Figure 1- photo taken by Kevin Buss, shows sink hole at the site of the culvert failure.



Figure 2- photo taken by Kevin Buss, shows area around east treatment units.

Attachment B

(A)

(B)

Incurring Costs Regarding Hurricane Ida Repairs		
	Amount	Description
(1)	\$ 4,920.50	Seed Sludge/Hauling to restore biological processes.
(2)	\$ 6,427.00	Three (3) replacement blower motors and miscellaneous electrical equipment
(3)	\$ 93.76	Miscellaneous fittings and supplies
(4)	\$ 204,031.14	Hauling costs to Pottstown and Bernville
(5)	\$ 7,590.00	Overtime labor for contract operator
(6)	\$ 21,624.00	Electrical repairs and labor and first month rental of generator
(7)	\$ 22,984.50	Engineering consulting, permitting, design, site management
(8)	\$ 267,670.90	TOTAL

Estimated Costs To Be Invoiced For Work Completed		
	Amount	Description
(9)	\$ 135,000.00	Ultraviolet disinfection and Mag Meter
(10)	\$ 225,000.00	Installation of 36-inch primary culvert and 24-inch emergency culvert
(11)	\$ 175,000.00	Equipment and Labor for site repairs, hauling, UV install, site clean up
(12)	\$ 18,084.22	Hach Lab Equipment, 2 Auto samplers, 1 DO meter, 1 Turbidimeter, 1 pH meter
(13)	\$ 553,084.22	TOTAL
(14)	\$ 820,755.12	GRAND TOTAL