
Michael W. Hassell

mhassell@postschell.com
717-612-6029 Direct
717-731-1985 Direct Fax
File #: 196374

June 1, 2023

VIA ELECTRONIC FILING

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

**Re: Application of Aqua Pennsylvania Wastewater, Inc. Pursuant to Sections 507, 508, 1102 and 1329 of the Public Utility Code for Approval of its Acquisition of the Wastewater System Assets of the City of Beaver Falls
Docket No. A-2022-3033138**

Dear Secretary Chiavetta:

We are counsel for Aqua Pennsylvania Wastewater, Inc. (“Aqua” or the “Company”) in connection with its above-referenced Application, filed with the Pennsylvania Public Utility Commission (“Commission”) on February 17, 2023, pursuant to Sections 507, 508, 1102, and 1329 of the Pennsylvania Public Utility Code (the “Code”), 66 Pa.C.S. §§ 507, 508, 1102, 1329, for approval of the acquisition of all of the assets, properties and rights related to the wastewater collection and treatment system owned by the City of Beaver Falls (“Beaver Falls” or “the City”). The Commission’s Bureau of Technical Utility Services (“TUS”) is reviewing the Application and has asked that we address certain requests for additional information.

INFORMATION REQUEST 7:

Checklist Item No. 20.b. – The Application’s Exhibit M2 included a copy of Pennsylvania Department of Environmental Protection (DEP) Water Quality Management (WQM) Permit No. 0405405 dated May 10, 2006, issued to the Borough of Eastvale for the Eastvale Pump Station. However, the Engineer Assessment inventory included the Eastvale Pump Station as part of the Beaver Falls’ wastewater system. Please provide a copy of a WQM Permit for the Eastvale Pump Station that indicates it was issued or transferred to Beaver Falls.

Rosemary Chiavetta, Secretary, Secretary
June 1, 2023
Page 2

RESPONSE:

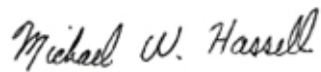
Included with this letter is a copy of the Application for WQM Permit Transfer of the Eastvale Pump Station from Eastvale Borough to the City of Beaver Falls, filed with DEP.

The Verification of William C. Packer verifying the foregoing is included with this letter.

Aqua believes that, with this letter and accompanying information, it has complied with TUS' requests for supplemental information and asks that the Commission acknowledge that the Application has been perfected.

Please direct any questions regarding this submission to the undersigned.

Respectfully submitted,



Michael W. Hassell

MWH/dmc
Attachments

cc: Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served upon the following persons, in the manner indicated, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

VIA E-MAIL

Carrie B. Wright, Esquire
Pennsylvania Public Utility Commission
Bureau of Investigation & Enforcement
Commonwealth Keystone Building
400 North Street, 2nd Floor West
Harrisburg, PA 17105-3265
carwright@pa.gov

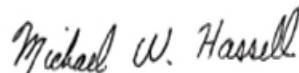
Andrew J. Zerby, Esquire
Erin L. Gannon, Esquire
Office of Consumer Advocate
555 Walnut Street
Forum Place, 5th Floor
Harrisburg, PA 17101-1923
azerby@paoca.org
egannon@paoca.org

Nakea Hurdle, Esquire
Assistant Small Business Advocate
Office of Small Business Advocate
555 Walnut Street
Forum Place, 1st Floor
Harrisburg, PA 17101
nhurdle@pa.gov

Paul Diskin, Director
Dan Searfoorce
Sean Donnelly
Pennsylvania Public Utility Commission
Bureau of Technical Utility Services
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120
pdiskin@pa.gov
dsearfoorc@pa.gov
sdonnelly@pa.gov

Thomas J. Sniscak, Esquire
Whitney E. Snyder, Esquire
Phillip D. Demanchick, Jr., Esquire
Hawke, McKeon & Sniscak, LLP
100 North Tenth Street
Harrisburg, PA 17011
tjsniscak@hmslegal.com
wesnyder@hmslegal.com
pddemanchick@hmslegal.com
*Counsel for Municipal Protestants
Patterson Heights Borough, Patterson
Township, West Mayfield Borough, White
Township*

Date: June 1, 2023



Michael W. Hassell

REQUEST No. 7

WQM Permit Transfer


**APPLICATION FOR NPDES OR WQM
 PERMIT TRANSFER**

Before completing this form, please read the instructions (3800-PM-BCW0041a). FAILURE TO FOLLOW THE INSTRUCTIONS MAY RESULT IN DENIAL OF THE APPLICATION.

Related ID#s (If Known)		DEP USE ONLY	
Client ID#	85881__	APS ID#	572434__
Site ID#	666022__	Facility ID#	_____
		PA:	PDG:
Permit No(s) to be transferred: 0405405		Date of Proposed Sale / Transfer of Ownership or Operation:	
Purpose of Application (select one): <input checked="" type="checkbox"/> Transfer Permit(s) <input type="checkbox"/> Add a Co-Permittee <input type="checkbox"/> Transfer Permit(s) of a POTW to a private entity		eDMR System: <input type="checkbox"/> eDMR Registration Materials Attached and Sent to BCW <input checked="" type="checkbox"/> eDMR Registration Materials Not Required	
Chapter 102 NPDES permittees must attach proof that an instrument has been recorded with the Recorder of Deeds (see instructions)			
PERMIT / FACILITY CATEGORY			
NPDES Individual Permits <input type="checkbox"/> Small Flow Treatment Facility (SFTF) <input type="checkbox"/> Other Domestic Wastewater <input type="checkbox"/> Industrial Waste / Industrial Stormwater <input type="checkbox"/> Municipal Separate Storm Sewer System (MS4) <input type="checkbox"/> Concentrated Animal Feeding Operation (CAFO) <input type="checkbox"/> Construction Stormwater (Chapter 102)		Other Permits / Authorizations <input type="checkbox"/> NPDES General Permit (PAG-____) <input checked="" type="checkbox"/> Water Quality Management (WQM) Permit <input type="checkbox"/> Joint PFBC/DEP Permit ("Chapter 91.38 Permit") <input type="checkbox"/> No Exposure Certification <input type="checkbox"/> Individual Erosion and Sediment Control Permit <input type="checkbox"/> Other: _____	
EXISTING PERMITTEE INFORMATION			
DEP Client ID#	Client Type/Code		
85881	MUNI		
Organization Name or Registered Fictitious Name	Employer ID# (EIN)	Dun & Bradstreet ID#	
Borough of Eastvale			
Individual Last Name	First Name	MI	Suffix
Additional Individual Last Name	First Name	MI	Suffix
Mailing Address Line 1	Mailing Address Line 2		
510 2nd Ave			
Address Last Line – City	State	ZIP+4	Country
Eastvale	PA	15010-4808	USA
Client Contact Last Name	First Name	MI	Suffix
Izzo	Dave		
Client Contact Title	Phone	Ext	
Vice President	(724) 846-0200		
E-mail Address	FAX		
eastvaleborough@yahoo.com			
Will the existing permittee accept electronic notification of the transfer? <input type="checkbox"/> Yes <input type="checkbox"/> No			

SITE INFORMATION						
DEP Site ID#		Site Name				
EPA ID#		Estimated Number of Employees to be Present at Site				
Description of Site						
County Name		Municipality		City	Boro	Twp
Beaver		Eastvale		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
County Name		Municipality		City	Boro	Twp
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Site Location Line 1			Site Location Line 2			
Site Location Last Line – City			State	ZIP+4		
Detailed Written Directions to Site						
Site Contact Last Name		First Name		MI	Suffix	
Izzo		Dave				
Site Contact Title			Site Contact Firm			
Vice President						
Mailing Address Line 1			Mailing Address Line 2			
Address Last Line – City			State	ZIP+4		
510 2nd Ave			PA	15010-4808		
Phone	Ext	FAX	E-mail Address			
(724) 846-0200			eastvaleborough@yahoo.com			
NAICS Codes (Two- & Three-Digit Codes – List All That Apply)				6-Digit Code (Optional)		
221				221230		
Site-to-Client Relationship						
OTHER - Permittee only, City of Beaver Falls owns and operates the pump station						
FACILITY INFORMATION						
Facility Name Eastvale Pump Station						
Provide the latitude and longitude coordinates at the center of the facility.						
Latitude			Longitude			
Degrees	Minutes	Seconds	Degrees	Minutes	Seconds	
80	18	58.4	40	45	58.7	
Existing Permits. Identify all NPDES and WQM permits for this facility.						
Permit Type		Permit#	Date Issued	Issued By		
WQM		0405405	May 10, 2006	Stephon R. Balta		
Facility Description. Provide a brief description of the facility.						
Sanitary Sewer Pumping Station						

COMPLIANCE HISTORY (EXISTING PERMITTEE)	
Is the facility owner or operator in violation of any DEP regulation, permit, order or schedule of <input type="checkbox"/> Yes <input type="checkbox"/> No compliance at this or any other facility?	
If "Yes," list each permit, order and schedule and provide compliance status. Use additional sheets to provide information on all permits.	
Permit Program	Permit No.
Brief Description of Non-Compliance	
Steps Taken to Achieve Compliance	Date(s) Compliance Achieved
Current Compliance Status <input type="checkbox"/> In Compliance <input type="checkbox"/> In Non-Compliance	
If the owner or operator is not in compliance with any permit requirement or DEP regulations, attach a narrative description of how the owner or operator will achieve compliance with the permit requirement, including the schedule for achieving compliance with appropriate milestones.	
Are there any fees, past or present, due for the permit being transferred? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If "Yes," payment must be remitted with this application for any fees, past or present, due for the permit being transferred.	
CERTIFICATION (EXISTING PERMITTEE)	
I certify that I have the authority to make this application as the existing permittee, and that the information included in this application is true to the best of my knowledge and belief. I, on behalf of the existing permittee, hereby:	
<input type="checkbox"/> relinquish the permit(s) that are the subject of this application to the proposed permittee; or	
<input checked="" type="checkbox"/> agree to include the proposed permittee identified in this application as a co-permittee on the permit.	
I also certify under penalty of law and subject to the penalties of 18 Pa. C.S. Section 4904 (relating to unsworn falsification to authorities) 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 gathered and evaluated 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.	
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p style="font-size: 1.2em; font-family: cursive;">Dave Izzo</p> <hr/> <p>Name (type or print legibly)</p> </div> <div style="width: 45%;"> <p style="font-size: 1.2em; font-family: cursive;">Vice-President</p> <hr/> <p>Official Title</p> </div> </div>	<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p style="font-size: 1.2em; font-family: cursive;">Dave Izzo</p> <hr/> <p>Signature</p> </div> <div style="width: 45%;"> <p style="font-size: 1.2em; font-family: cursive;">5-19-23</p> <hr/> <p>Date</p> </div> </div>

PROPOSED PERMITTEE / CO-PERMITTEE INFORMATION			
DEP Client ID# 43667	Client Type/Code MUNI		
Organization Name or Registered Fictitious Name City of Beaver Falls	Employer ID# (EIN)	Dun & Bradstreet ID#	
Individual Last Name	First Name	MI	Suffix
Additional Individual Last Name	First Name	MI	Suffix
Mailing Address Line 1	Mailing Address Line 2		
Address Last Line – City	State	ZIP+4	Country
Client Contact Last Name	First Name	MI	Suffix
Client Contact Title	Phone	Ext	
E-mail Address	FAX		
Site Name (if different from Site Information section above)			
Facility Name (if different from Facility Information section above)			
Will the proposed permittee accept permit documents electronically? <input type="checkbox"/> Yes <input type="checkbox"/> No			
DISCHARGE INFORMATION			
Check the appropriate boxes below to indicate whether the quantity (flow or pollutant mass loads) or quality (pollutant concentrations) of any discharge to surface waters will change following transfer of the permit(s) or addition of co-permittee(s).			
	Expected Change		
	Greater Than Existing Discharge(s)	Less Than Existing Discharge(s)	No Change
Flow or Pollutant Mass Loads	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Pollutant Concentrations	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If changes are expected, explain the reason(s):			

COMPLIANCE HISTORY (PROPOSED PERMITTEE)	
Is the proposed permittee in violation of any DEP regulation, permit, order or schedule of <input type="checkbox"/> Yes <input type="checkbox"/> No compliance at any other facility?	
If "Yes," list each permit, order and schedule and provide compliance status. Use additional sheets to provide information on all permits.	
Permit Program	Permit No.
Brief Description of Non-Compliance	
Steps Taken to Achieve Compliance	Date(s) Compliance Achieved
Current Compliance Status <input type="checkbox"/> In Compliance <input type="checkbox"/> In Non-Compliance	
If the owner or operator is not in compliance with any permit requirement of DEP regulations, provide narrative description of how the owner or operator will achieve compliance with the permit requirement, including the schedule for achieving compliance with appropriate milestones.	
STATEMENT OF LIABILITY	
Unless otherwise indicated by attached written agreement, the proposed permittee will be held liable for all continuing and future violations of the transferred permit(s). If applicable, the written agreement must state the steps that will be taken to resolve any non-compliance at the facility and the responsible party for all actions.	

CERTIFICATION (PROPOSED PERMITTEE)

I certify that I have the authority to make this application as the proposed permittee or co-permittee, and that the information included in this application is true to the best of my knowledge and belief. I, on behalf of the proposed permittee, hereby accept the permit(s) and the statement of liability above (unless otherwise specified in an attached written agreement) and agree to be bound by all terms of said permit(s).

I also certify under penalty of law and subject to the penalties of 18 Pa. C.S. Section 4904 (relating to unsworn falsification to authorities) 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 gathered and evaluated 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.

For Transfers of No Exposure Certifications: I certify that: 1) I have read and understand the eligibility requirements for claiming a condition of "no exposure" and obtaining an exclusion from NPDES stormwater permitting under federal regulations; 2) there are no discharges of stormwater contaminated by exposure to industrial activities or materials from the industrial facility (except as allowed under federal regulations); and 3) there are no unauthorized non-stormwater discharges from the facility. I understand that I am obligated to submit a No Exposure Certification form once every five years to the NPDES permitting authority and, if requested, to the operator of the local MS4 into which this facility discharges (where applicable). I understand that I must allow the NPDES permitting authority, or MS4 operator where the discharge is into the local MS4, to perform inspections to confirm the condition of no exposure and to make such inspection reports publicly available upon request. I understand that I must obtain coverage under an NPDES permit prior to any point source discharge of stormwater from the facility.

Joe Durish

Plant Manager

Name (type or print legibly)

Official Title

Signature



Date

5-16-23

DOCUMENT REVISION HISTORY

Date	Revision Reason
February 2023	Removed requirement to submit topographic map
November 2022	Added line for applicants to consent to electronic submission; removed Social Security Number (SSN) fields.
September 2022	Added check box for transfer from POTW to private entity to Purpose for Application section.
September 2021	Corrected typos in 'Latitude and Longitude' table.
August 2021	Corrected typo in 'Longitude' table.
November 2019	Updated application to allow for use by Chapter 102 NPDES and Erosion and Sediment Control permits.
August 2019	Clarification of requirements for outstanding fees under Compliance History.
October 2018	Updated application to include purpose of application and eDMR checkboxes on page 1, revisions to Discharge Information section, and revisions to Certification sections. Added option for transfer application to be used to add co-permittees to a permit.
February 2017	Added requirement to submit eDMR registration if using eDMR.
November 2016	Updated topographic map requirements; Updated document number and document number references.



City of Beaver Falls
WATER POLLUTION CONTROL PLANT
715 Fifteenth Street
BEAVER FALLS, PA 15010

Phone: 724-843-7184
Fax: 724-843-6787

May 15, 2023

Daniel Martin
Chief – Permits Section
Pennsylvania Department of Environmental Protection
Clean Water Program
909 Elmerton Ave.
Harrisburg, PA 17110

Water Quality Management (“WQM”) Permit Transfer Application for Eastvale Pumping Station (No. 0405405)

Dear Mr. Martin:

The City of Beaver Falls (“City”) is in the process of selling the currently owned sewer collection, conveyance, and treatment systems to Aqua Pennsylvania Wastewater, Inc. (“Aqua”). This includes one WQW permit (No. 0405405) associated with the Eastvale Pumping Station that the City currently owns and operates. Eastvale Borough currently is listed as the permittee of the WQW Permit for the Eastvale Pumping Station, and this application is meant to clean up the historical record that will establish the City as the permit holder, and thereby allow the transfer the WQW permit to Aqua to complete the eventual sale of the City’s wastewater system to Aqua. Below is a summary of what is included as part of this submittal:

- Attachment 1: Application for NPDES or WQW Permit Transfer
- Attachment 2: Copy of Permits
- Fee: \$250

If you have any questions, please contact me at 724-843-7184 x302.

Sincerely,

Joseph M. Durish, Jr.
Manager
Beaver Falls Sewage Treatment Plant



Pennsylvania Department of Environmental Protection

400 Waterfront Drive
Pittsburgh, PA 15222-4745

MAY 10 2006

Southwest Regional Office

412-442-4000
Fax 412-442-4328

CERTIFIED MAIL NO. 7003 2260 0000 3132 7091

Diane Izzo
Borough of Eastvale
510 Second Avenue
Beaver Falls, PA 15010

Re: Sewage
Eastvale Pump Station
WQM Part II Permit No. 0405405
APS LD. No. 572434
Eastvale Borough
Beaver County

Dear Ms. Izzo:

Your permit is enclosed.

You must comply with all Special Conditions attached to this Permit. Construction must be done in accordance with the permit application and all supporting documentation. Please review the permit conditions and application-supporting documentation submitted with your application before starting construction.

Any person aggrieved by this action may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. Section 7514, and the Administrative Agency Law, 2 Pa. C.S. Chapter 5A, to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, 800-654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at 717-787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

IF YOU WANT TO CHALLENGE THIS ACTION, YOUR APPEAL MUST REACH THE BOARD WITHIN 30 DAYS. YOU DO NOT NEED A LAWYER TO FILE AN APPEAL WITH THE BOARD.



7003 2260 0000 0922 8001

U.S. Postal ServiceSM
CERTIFIED MAILSM RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage \$	0405403
Certified Fee	
Return Receipt Fee (Checkmark Required)	MAY 1 2006
Restricted Delivery Fee (Checkmark Required)	Man
Total Postage & Fees	DIANE IZZO
Address	BOROUGH OF EASTVALE
	510 SECOND AVENUE
	BEAVER FALLS PA 15010

PS Form 3811, June 2002

See Reverse for Instructions


Diane Izzo

-2-

IMPORTANT LEGAL RIGHTS ARE AT STAKE, HOWEVER, SO YOU SHOULD SHOW THIS DOCUMENT TO A LAWYER AT ONCE. IF YOU CANNOT AFFORD A LAWYER, YOU MAY QUALIFY FOR FREE PRO BONO REPRESENTATION. CALL THE SECRETARY TO THE BOARD (717-787-3483) FOR MORE INFORMATION.

If you have any questions, please call me at 412-442-4031.

Sincerely,


James M. Vanck, P.E.
Sanitary Engineer
Water Management

Enclosures

cc: Mark T. Kennedy, P.E. – Widmer Engineering, Inc.

bcc: c ✓
Operations Section
J. Vanck

JMV:dk

OFFICIAL FILE COPY


Diane Izzo

-2-

IMPORTANT LEGAL RIGHTS ARE AT STAKE, HOWEVER, SO YOU SHOULD SHOW THIS DOCUMENT TO A LAWYER AT ONCE. IF YOU CANNOT AFFORD A LAWYER, YOU MAY QUALIFY FOR FREE PRO BONO REPRESENTATION. CALL THE SECRETARY TO THE BOARD (717-787-3483) FOR MORE INFORMATION.

If you have any questions, please call me at 412-442-4031.

Sincerely,


James M. Vanek, P.E.
Sanitary Engineer
Water Management

Enclosures

cc: Mark T. Kennedy, P.E. – Widmer Engineering, Inc.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
WATER MANAGEMENT

INTERNAL REVIEW AND RECOMMENDATIONS

Name of Applicant Borough of Eastvale File Location Eastvale Borough Beaver County Application Number 0405405

This review is in response to a new application received on December 27, 2005. Additional information was received on March 13, 2006.

The applicant proposes to construct:

- approximately 1400 feet of 8-inch diameter force main (FRP)
- and a wet and dry well type wastewater pumping station to serve Eastvale Borough and new and existing developments in North Sewickley Township, Beaver County.

The pump station installation includes:

- two pumps, each rated at 610 gpm at 41 feet total dynamic head designed so that each pump is capable of handling the expected peak instantaneous flow.
- mechanical ventilation to provide complete air changes.
- a remote alarm will be activated by the high level alarm float. A signal will also be available for remote signaling through a telephone dialer.
- a standby generator to operate the pumps during a power outage.

The new, upgraded and expanded pump station will use the existing pump station's influent line, dry well, wet well and bypass. The existing wet well will have a 2' x 2' hole cut into it. All of the equipment in the existing dry well will be removed so sewage will flow from the wet well into it. A 16" PVC pipe will direct the sewage into the new 6' diameter wet well and the prefabricated pump station will sit atop of the new wet well.

The size of the pump station is based on the existing population of Eastvale Borough and the anticipated flows from North Sewickley Township's 537 plan. The per capita flow rate was based according to design criteria contained in Pennsylvania Code Title 25, Chapter 73, Section 73.17. Based on the population and design criteria, the expected average daily flow is 0.254 mgd. The peak instantaneous factor is 3.4, which results in a peak instantaneous flow rate of 0.861 mgd or 598 gpm.

The Act 537 Plan was approved for this project. The planning approval was only for North Sewickley Township (letter DEP Code No. 04944-01-001). Planning for Beaver Falls was not performed. The design engineer provided calculations for flow from the Eastvale Bridge to the Beaver Falls STP. The pipe capacity between manholes 92 and 93 is 4.3 MGD and the design engineer believes the upgrade of the Eastvale pump station can be handled by the Beaver Falls collection system.

The required Act 14 notification was submitted with the Part II Permit application and no adverse comments were received.

The design engineer claims the proposed facilities are not within the 100-year flood plain.

Permit issuance in response to this application is recommended.

RECOMMENDATION AND ACTION			
Approve	Refuse	Signature	Date
<input type="checkbox"/>	<input type="checkbox"/>	REVIEWING GEOLOGIST	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	REVIEWING ENGINEER <i>James M. Daulton</i>	3/29/06
<input checked="" type="checkbox"/>	<input type="checkbox"/>	REGIONAL SECTION CHIEF <i>N A 2</i>	4/26/06
<input checked="" type="checkbox"/>	<input type="checkbox"/>	REGIONAL MANAGER <i>J P Seltz</i>	5/8/06

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
WATER MANAGEMENT PROGRAM

WATER QUALITY MANAGEMENT PERMIT

NO. 0405405

A. PERMITTEE Borough of Eastvale 510 Second Avenue Beaver Falls, PA 15010	B. LOCATION Municipality <u>Eastvale Borough</u> County <u>Beaver</u>
C. TYPE OF FACILITY OR ESTABLISHMENT Sewage Pump Station	D. NAME OF PLANT, AREA SERVED, ETC. Eastvale Borough
E. THIS PERMIT APPROVES 1. Plans for construction of: <input type="checkbox"/> Treatment Facilities <input type="checkbox"/> Outfall or Headwall <input type="checkbox"/> Impoundment <input type="checkbox"/> Sewers and Appurtenances <input type="checkbox"/> Stream Crossing <input checked="" type="checkbox"/> Pump Station <input type="checkbox"/> Injection Well <input checked="" type="checkbox"/> Force Main 2. <input type="checkbox"/> The discharge of _____ to _____ 3. <input checked="" type="checkbox"/> An Erosion and Sedimentation Control Plan. Project Area is _____ acres. 4. <input type="checkbox"/> Preparedness, Prevention, Contingency (PPC) Plan.	
F. THIS APPROVAL IS SUBJECT TO THE FOLLOWING CONDITIONS 1. All construction, operations, procedures, and discharge shall be in accordance with the application dated <u>December 22, 2005</u> , its supporting documentation, and amendments dated through <u>March 15, 2006</u> . Such application, its supporting documentation and amendments are hereby made part of this permit. 2. Conditions <u>1, 2, 4, 5, 6, 7, 9, 10, 11, 13, 14, 16, 20, 21, 22</u> of the Standard Conditions Relating to Sewerage - Part II Permits dated September 2, 1983, revised June 1, 2001, and all of the Standard Conditions Relating to Erosion Control for use in Water Quality Management Permits dated August, 1991, which conditions are attached and made part of this permit. 3. Special Conditions designated <u>A, B, C, D, E</u> which are attached and made part of this permit.	
G. THE AUTHORITY GRANTED BY THIS PERMIT IS SUBJECT TO THE FOLLOWING FURTHER QUALIFICATIONS 1. If there is a conflict between the application or its supporting documentation and amendments and the standard or special conditions, the standard or special conditions shall apply. 2. Failure to comply with the rules and regulations of the Department or with the terms or conditions of this permit shall void the authority given to the permittee by the issuance of the permit. 3. This permit is issued pursuant to the Clean Streams Law, Act of June 22, 1937, P.L. 1987 as amended, 35 P.S. §691.1 et seq., and/or the Dam Safety and Encroachments Act of November 26, 1978, P.L. 1375, as amended, 32 P.S. §693.1 et seq. Issuance of this permit shall not relieve the permittee of any responsibility under any other law.	
H. PERMIT ISSUED DATE <u>MAY 10 2006</u> BY <u>Stephen R. Batta</u> Stephen R. Batta Water Management Program Manager	

SPECIAL CONDITIONS FOR PART II PERMIT 0405405

- A. The County Conservation District shall be notified prior to the start of earth moving associated with the construction of the herein approved project.
- B. The permittee shall comply with Chapter 102 of the Department's Rules and Regulations regarding erosion control. Chapter 102 requires, in part, that the erosion control plan be available at work sites at all times, that all upslope surface water be diverted away from the project areas, that runoff from project areas pass through facilities for removal of sediment, that all disturbed areas be stabilized as soon as possible after final grade or final earthmoving, that interim stabilization measures be implemented promptly where it is not possible to permanently stabilize a disturbed area immediately after final earthmoving or where the activity ceases for more than 20 days, that erosion and sedimentation control facilities be maintained until stabilization is completed, and that all unnecessary and unusable control measures and facilities be removed upon completion of stabilization.
- C. The requirements of Act 1989-32, the Storage Tank and Spill Prevention Act, must be met for installation of the fuel tank to be used with the emergency generator.
- D. The Department considers the registered professional engineer whose seal is affixed to these documents to be fully responsible for the adequacy of all aspects of the facility design.
- E. If, at any time, this sewer extension and/or pump station covered by this permit creates a public nuisance, including but not limited to, causing malodors or causing environmental harm to the waters of the Commonwealth, the Department may require the permittee to adopt appropriate remedial measures to abate the nuisance or harm.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

STANDARD CONDITIONS RELATING TO SEWERAGE - PART II PERMITS

Effective September 7, 1983

Revised June 1, 2001

ONE: During construction, no changes affecting any engineering design parameter shall be made from the plans, designs, and other data herein approved unless the permittee shall first receive written approval thereof from the Department. The sewerage facilities shall be constructed under expert engineering supervision and competent inspection.

TWO: The sewers shall have adequate foundation support as soil conditions require. Trenches shall be back-filled such that the sewers will have proper structural stability, with minimum settling and adequate protection against breakage. Concrete used in connection with these sewers shall be protected from injury by water, freezing, drying or other harmful conditions until cured.

THREE: Manhole inverts shall be so formed as to facilitate the flow of the sewage and to prevent the stranding of sewage solids, and the whole manhole structure shall have proper structural strength and be so constructed as to prevent undue infiltration, entrance of the street wash or grit, and to provide convenient and safe means of access and maintenance.

FOUR: No stormwater from pavements, area ways, roofs, foundation drains or other sources shall be admitted to the sanitary sewers herein approved.

FIVE: The permittee shall adopt and enforce an ordinance requiring the abandonment of privies, cesspools or similar receptacles for human waste and on-lot sewage disposal systems on the premises of occupied structures which are accessible to public sewers and require the connection of such structures to the public sewers.

SIX: The herein approved sewers shall be maintained in good condition, kept free from deposits by flushing or other proper means of cleaning, and repaired when necessary.

SEVEN: The permittee shall file with the Department of Environmental Resources "as-built" plans showing the correct plan of all sewers and sewerage structures as actually constructed together with any other information in connection therewith that may be required.

EIGHT: The outfall sewer or drain shall be extended to the low water mark of the receiving body of water. Where necessary to assure the proper mixing and waste assimilation an outfall sewer or drain may be extended with appurtenances below the low water mark and into the bed of navigable stream, provided that the permittee has secured an easement, right-of-way, license, or lease from the Department in accordance with Section 15 of the Dam Safety and Encroachment Act, the Act of November 26, 1978, P.L. 1375, as amended.

NINE: The approval herein given is specifically made contingent upon the permittee acquiring all necessary property rights, by easement or otherwise, providing for the satisfactory construction, operation, maintenance and replacement of all sewers or sewerage structures in, along, or across private property, with full rights of ingress, egress and regress.

TEN: When the herein approved sewage treatment works is completed and before it is placed in operation, the permittee shall notify the Department in writing so that an inspection of the works may be made by a representative of the Department.

ELEVEN: The various structures and apparatus of the sewage treatment works herein approved shall be maintained in proper condition so that the facility will individually and collectively perform the functions for which they were designed.

TWELVE: If, in the opinion of the Department, these works are not so operated or if by reason of change in the character of wastes or increased load upon the works, or changed use or condition of the receiving body of water, or otherwise the effluent from the said works ceases to be satisfactory or the sewerage facilities shall have created a public nuisance, then upon notice by the Department, the right herein granted shall cease and become null and void unless within the time specified by the Department, the permittee shall adopt such remedial measures as will produce an effluent which, in the opinion of the Department, will be satisfactory.

THIRTEEN: The attention of the permittee is called to the highly explosive nature of certain gases generated by the digestion of sewage solids when these gases are mixed in proper portions with air, and to the highly toxic character of certain gases arising from such digestion or from sewage in insufficiently ventilated compartments or sewers. Therefore, at all places throughout the sewerage facilities where hazard of fire, explosion, or danger from toxic gases may occur, the permittee shall post conspicuously proper warnings of a permanent and legible character and shall provide for the thorough instruction of all employees concerning the aforesaid hazards and in first aid and emergency methods of meeting such hazards and shall further provide, in a conveniently accessible place, all necessary equipment and material therefor.

FOURTEEN: Cross connections between the potable water supply and the sewerage system constitute a potential danger to the public health. Therefore, all direct and indirect connections whereby under normal or abnormal conditions the potable water supply may become contaminated from an inferior water supply from any part of a sewerage system are hereby specifically prohibited. The permittee is further warned against permitting to be made permanent any temporary connection with a potable supply designed to be held in place while being used for flushing or other purposes, and is also cautioned against the danger of back siphonage through portable hose lines and similar avenues of possible contamination.

FIFTEEN: This permit authorizes the construction and operation of the proposed sewerage facilities until such time as facilities for conveyance and treatment at a more suitable location are installed and are capable of receiving and treating the permittee's sewage. Such facilities must be in accordance with the applicable municipal official plan adopted pursuant to Section 5 of the Pennsylvania Sewage Facilities Act, the Act of January 24, 1966, (1965 P.L. 1535, No. 537), as amended. When such municipal sewerage facilities become available, the permittee shall provide for the conveyance of the sewage to these sewerage facilities, abandon the use of the herein-approved facilities and notify the Department accordingly. This permit shall then, upon notice from the Department, terminate and become null and void, and shall be relinquished to the Department.

SIXTEEN: The permittee shall construct the sewerage facilities in a manner compatible with good conservation methods in order to minimize the adverse effect on the environment.

SEVENTEEN: The local waterways patrolman of the Pennsylvania Fish Commission shall be notified when the construction of a stream crossing and outfall is started and completed. A permit must be secured from the Pennsylvania Fish Commission if the use of explosives is required. The permittee shall notify the local waterways patrolman when explosives are to be used.

EIGHTEEN: If future operations by the Commonwealth of Pennsylvania require modifications of the stream crossing and/or outfall, or there shall be unreasonable obstruction to the free passage of loads or navigation from the stream crossing and/or outfall, permittee shall remove or alter the structural work or obstruction without expense to the Commonwealth of Pennsylvania. If upon the revocation of the permit, the work shall not be completed, the permittee, at his own expense and in such time and manner as the Department may require, shall remove any or all portions of the incompleated work and restore the water-course to its former condition. No claims shall be made against the Commonwealth of Pennsylvania on account of any such removal or alteration.

NINETEEN: The sewage treatment plant shall be operated by an operator certified in accordance with the Sewage Treatment Plant and Waterworks Operators' Certification Act, the Act of November 18, 1968, P.L. 1217, as amended.

TWENTY: All industrial waste discharged or proposed for discharge into the sewer system shall be studied to determine the degree of pretreatment necessary in order that the industrial waste will not adversely affect the sewerage facilities or the sewage treatment process. The permittee shall properly control any industrial waste discharge into its sewerage system by regulating the rate of such discharge, requiring necessary pretreatment, and excluding industrial waste, if necessary, to protect the integrity of the permittee's sewerage system.

TWENTY-ONE: Receipt of this permit does not relieve the permittee of its obligations to comply with all federal, interstate, state, or local laws, ordinances, and regulations applicable to the sewerage facilities authorized herein.

TWENTY-TWO: This permit does not give any real or personal property rights or grant any exclusive privileges, nor shall it be construed to grant or confirm any right, title, easement, or interest in, on, to, or over any lands belonging to the Commonwealth.

DEPARTMENT OF ENVIRONMENTAL RESOURCES
STANDARD CONDITIONS RELATING TO EROSION CONTROL
For Use in Water Quality Management Permits

1. By approval of the plans for which this permit is issued, neither the Department nor the Commonwealth of Pennsylvania assumes any responsibility for the feasibility of the plans or the operation of the measures and facilities to be constructed thereunder.
2. If at any time the erosion and sedimentation activities undertaken pursuant to this permit or the discharge of the effluent therefrom is causing or contributing to pollution of the waters of the Commonwealth, the permittee shall forthwith adopt such remedial measures as are acceptable to the Department.
3. This permit does not authorize any earth disturbance controlled by an ordinance enacted by a local municipality. Additional permits must be secured from local municipalities where earthmoving activities are covered by local ordinances.
4. At least seven days before earthmoving will begin, the permittee, by telephone or certified mail, shall notify the Department or its designee of the date for beginning of construction and invite the County Conservation District Representative to attend a pre-construction conference with the contractor. The permittee shall have his erosion control plan available at the site of the activity at all times.
5. All earthmoving activities shall be undertaken in the manner set forth in the erosion and sedimentation control plan identified with this permit. Revisions to the plan shall be pre-approved by the Department.
6. The erosion control measures and facilities shall be constructed under the supervision and competent inspection of an individual trained and experienced in erosion control, and in accordance with plans, designs and other data as herein approved or amended, and with the conditions of this permit. Control facilities shall be frequently inspected to insure effective control.
7. When the herein approved erosion control measures and facilities are completed, the permittee shall notify the County Conservation District so that an inspection of the measures and facilities may be made.
8. No storm water, sewage or industrial wastes not specifically approved herein, shall be admitted to the erosion and sedimentation measures and facilities for which this permit is issued, unless with the approval of the Department.

9. Sediment shall at no time be permitted to accumulate in sedimentation-basins to a depth sufficient to limit storage capacity or interfere with the settling efficiency thereof. The sediment removed shall be handled and disposed of in a manner that will not create pollution problems and so that every reasonable and practical precaution is taken to prevent the said material from reaching the waters of the Commonwealth.
10. All slopes, channels, ditches or any disturbed area shall be stabilized as soon as possible after the final grade or final earthmoving has been completed. Where it is not possible to permanently stabilize a disturbed area immediately after the final earthmoving has been completed or where the activity ceases for more than 20 days, interim stabilization measures shall be implemented promptly.
11. Upon completion of the project, all areas which were disturbed by the project shall be stabilized so that accelerated erosion will be prevented. Any erosion and sedimentation control facility required or necessary to protect areas from erosion during the stabilization period shall be maintained until stabilization is completed. Upon completion of stabilization, all unnecessary or unusable control measures and facilities shall be removed, the areas shall be graded and the soils shall be stabilized.
12. The responsibility of carrying out the permit conditions shall rest with the owner, lessee, assignee or other responsible manager of earthmoving that affects the approved erosion controls. Such responsibility passes with each control succession.

VERIFICATION

I, William C. Packer, Vice President, Regulatory Accounting & Regional Controller of Aqua Pennsylvania, Inc., hereby state that the facts set forth in the letters of Counsel of Aqua Pennsylvania Wastewater, Inc., dated March 17, 2023, May 18, 2023, and June 1, 2023, addressing information requests of the Bureau of Technical Utility Services in the matter at PaPUC Docket No. A-2022-3033138, are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

William C. Packer

William C. Packer
Vice President, Regulatory
Accounting & Regional Controller
Aqua Pennsylvania, Inc.

Dated: June 1, 2023