

TUS Data Request Set 1

Joint Application of The York Water Company - Wastewater and MESCO, Inc. for approval of the rights of: (1) to transfer certain public wastewater facilities from the Estate of Jane M. Alexander acting through its executors Lorinda Krause and Marstin Alexander and MESCO, Inc to The York Water Company - Wastewater; (2) the abandonment by MESCO, Inc. of wastewater service to the public in its service territory in Monaghan Township, York County Pennsylvania; and (3) The York Water Company - Wastewater to offer, render, furnish and supply wastewater service to the public in a portion of Monaghan Township, York County, Pennsylvania
Docket Nos. A-2023-3041009 & A-2023-3041010

A-1 In Section 5 of the Application, the Joint Applicants indicated that York Water-WW will acquire all permits associated with the wastewater system from the Sellers. Please provide the following:

- a. A list of all permits to be acquired by York Water-WW from the Sellers; and
- b. Copies of all permits to be acquired from the Sellers.

RESPONDENT:

Andrew Prosser, Senior Engineer Manager
The York Water Company

RESPONSE:

The permits being transferred from MESCO to York Water are:

1. NPDES Permit #PA0081361; and
2. WQM Permit #6796411.

Copies of the referenced permits are attached as **Attachments A-I-1 and A-I-2**, respectively.

Attachment A-I-1



pennsylvania
DEPARTMENT OF ENVIRONMENTAL
PROTECTION

Southcentral Regional Office

FEB 7 2013

CERTIFIED MAIL NO. 9171 9690 0935 0033 0073 25

Jane Alexander
Memphord Estates Sewerage Company Inc.
PO Box 421
Dillsburg, PA 17019-1007

Re: Final NPDES Permit – Sewage – 3F
Memphord Estates STP
NPDES Permit No. PA0081361
Authorization ID No. 877227
Monaghan Township, York County

Dear Ms. Alexander:

Your NPDES permit is enclosed. Please read the permit carefully. The permit expires on **February 28, 2018**. If you intend to continue discharging beyond the permit expiration date, you must submit a complete application to renew your permit at least 180 days prior to the expiration date.

Enclosed are Discharge Monitoring Report (DMR) templates and DMR instructions. It is recommended that you retain the DMR templates in the event you are unable to submit DMRs electronically through DEP's eDMR system. Routine use of the eDMR system is a requirement of the permit unless the conditions in Part A III.B of the permit are met to withdraw from the eDMR system.

Also enclosed is a Supplemental Form Inventory, which identifies the forms that are attached to the permit and must be submitted as attachments to eDMR reports, as applicable (see individual form instructions). The submission of other supplemental forms may be required in accordance with the permit. We encourage you to use the spreadsheet versions of supplemental forms that contain appropriate validation and DEP-approved calculations.

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, P.O. 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

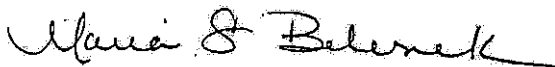
audiotape from the Secretary to the Board at 717.787.3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

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.

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 contact Jesse Duncan at jeduncan@pa.gov or 717.705.4824.

Sincerely,



Maria D. Bebenek, P.E.
Environmental Program Manager
Clean Water Program

Enclosures

cc: Fred Walton, Walton Water Services, LLC (w/enclosures)



**AUTHORIZATION TO DISCHARGE UNDER THE
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
DISCHARGE REQUIREMENTS FOR NON-MUNICIPAL
SEWAGE TREATMENT WORKS**

NPDES PERMIT NO: PA0081361

In compliance with the provisions of the Clean Water Act, 33 U.S.C. Section 1251 *et seq.* ("the Act") and Pennsylvania's Clean Streams Law, as amended, 35 P.S. Section 691.1 *et seq.*,

**Memphord Estates Sewerage Company Inc.
PO Box 421
Dillsburg, PA 17019-1007**

is authorized to discharge from a facility known as **Memphord Estates STP**, located in **Monaghan Township, York County**, to **Stony Run** in Watershed(s) 7-E in accordance with effluent limitations, monitoring requirements and other conditions set forth in Parts A, B and C hereof.

THIS PERMIT SHALL BECOME EFFECTIVE ON MARCH 1, 2013

THIS PERMIT SHALL EXPIRE AT MIDNIGHT ON FEBRUARY 28, 2018

The authority granted by this permit is subject to the following further qualifications:

1. If there is a conflict between the application, its supporting documents and/or amendments and the terms and conditions of this permit, the terms and conditions shall apply.
2. Failure to comply with the terms, conditions or effluent limitations of this permit is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application. (40 CFR 122.41(a))
3. A complete application for renewal of this permit, or notice of intent to cease discharging by the expiration date, must be submitted to DEP at least 180 days prior to the above expiration date (unless permission has been granted by DEP for submission at a later date), using the appropriate NPDES permit application form. (40 CFR 122.41(b), 122.21(d)(2))

In the event that a timely and complete application for renewal has been submitted and DEP is unable, through no fault of the permittee, to reissue the permit before the above expiration date, the terms and conditions of this permit, including submission of the Discharge Monitoring Reports (DMRs), will be automatically continued and will remain fully effective and enforceable against the discharger until DEP takes final action on the pending permit application. (25 Pa. Code 92a.7(b), (c))

4. This NPDES permit does not constitute authorization to construct or make modifications to wastewater treatment facilities necessary to meet the terms and conditions of this permit.

DATE PERMIT ISSUED

FEB 7 2013

ISSUED BY

Maria D. Bebenek
Maria D. Bebenek, P.E.
Clean Water Program Manager
Southcentral Regional Office

PART A - EFFLUENT LIMITATIONS, MONITORING, RECORDKEEPING AND REPORTING REQUIREMENTS

I. A. For Outfall 001, Latitude 40° 08' 15", Longitude 76° 59' 58", River Mile Index 1.81, Stream Code 63124
 Receiving Waters: Stony Run
 Type of Effluent: Sewage

1. The permittee is authorized to discharge during the period from March 1, 2013 through February 28, 2018.
2. Based on the anticipated wastewater characteristics and flows described in the permit application and its supporting documents and/or amendments, the following effluent limitations and monitoring requirements apply (see also Additional Requirements and Footnotes).

Parameter	Effluent Limitations						Monitoring Requirements		
	Mass Units (lbs/day) ⁽¹⁾		Concentrations (mg/L)				Instant. Maximum	Minimum Measurement Frequency ⁽²⁾	Required Sample Type
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Maximum	Measurement Frequency			
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX	Continuous	Measured	
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0	1/day	Grab	
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX	1/day	Grab	
Total Residual Chlorine	XXX	XXX	XXX	0.50	XXX	1.6	1/day	Grab	
CBOD5	XXX	XXX	XXX	25	XXX	50	2/month	Composite 8-Hr	
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60	2/month	Composite	
Fecal Coliform (CFU/100 ml) May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000	2/month	Grab	
Fecal Coliform (CFU/100 ml) Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2,000	XXX	10,000	2/month	Grab	
Ammonia-Nitrogen	XXX	XXX	XXX	8.5	XXX	17	2/month	Composite 8-Hr	

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location:
 at Outfall 001

PART A - EFFLUENT LIMITATIONS, MONITORING, RECORDKEEPING AND REPORTING REQUIREMENTS
(Continued)Additional Requirements

1. The permittee may not discharge:
 - a. Floating solids, scum, sheen or substances that result in observed deposits in the receiving water. (25 Pa Code 92a.41(c))
 - b. Oil and grease in amounts that cause a film or sheen upon or discoloration of the waters of this Commonwealth or adjoining shoreline, or that exceed 15 mg/l as a daily average or 30 mg/l at any time (or lesser amounts if specified in this permit). (25 Pa. Code 92a.47(a)(7) and 95.2(2))
 - c. Substances in concentration or amounts sufficient to be inimical or harmful to the water uses to be protected or to human, animal, plant or aquatic life. (25 Pa Code 93.6(a))
 - d. Foam or substances that produce an observed change in the color, taste, odor or turbidity of the receiving water, unless those conditions are otherwise controlled through effluent limitations or other requirements in this permit. (25 Pa Code 92a.41(c))
2. If the permit requires the reporting of average weekly statistical results, the maximum weekly average concentration and maximum weekly average mass loading shall be reported, regardless of whether the results are obtained for the same or different weeks.
3. The permittee shall monitor the sewage effluent discharge(s) for the effluent parameters identified in the Part A limitations table(s) during all bypass events at the facility, using the sample types that are specified in the limitations table(s). Where the required sample type is "composite", the permittee must commence sample collection within one hour of the start of the bypass, wherever possible. The results shall be reported on the Daily Effluent Monitoring supplemental form (3800-FM-BPNPSM0435) and be incorporated into the calculations used to report self-monitoring data on Discharge Monitoring Reports (DMRs).

Footnotes

- (1) When sampling to determine compliance with mass effluent limitations, the discharge flow at the time of sampling must be measured and recorded.
- (2) This is the minimum number of sampling events required. Permittees are encouraged, and it may be advantageous in demonstrating compliance, to perform more than the minimum number of sampling events.

II. DEFINITIONS

At Outfall (XXX) means a sampling location in outfall line XXX below the last point at which wastes are added to outfall line (XXX), or where otherwise specified.

Average refers to the use of an arithmetic mean, unless otherwise specified in this permit. (40 CFR 122.41(l)(4)(iii))

Best Management Practices (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures and other management practices to prevent or reduce the pollution to surface waters of the Commonwealth. BMPs also include treatment requirements, operating procedures and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. (25 Pa. Code 92a.2)

Bypass means the intentional diversion of waste streams from any portion of a treatment facility. (40 CFR 122.41(m)(1)(i))

Calendar Week is defined as the seven consecutive days from Sunday through Saturday, unless the permittee has been given permission by DEP to provide weekly data as Monday through Friday based on showing excellent performance of the facility and a history of compliance. In cases when the week falls in two separate months, the month with the most days in that week shall be the month for reporting.

Clean Water Act means the Federal Water Pollution Control Act, as amended. (33 U.S.C.A. §§1251 to 1387).

Composite Sample (for all except GC/MS volatile organic analysis) means a combination of individual samples (at least eight for a 24-hour period or four for an 8-hour period) of at least 100 milliliters (mL) each obtained at spaced time intervals during the compositing period. The composite must be flow-proportional; either the volume of each individual sample is proportional to discharge flow rates, or the sampling interval is proportional to the flow rates over the time period used to produce the composite. (EPA Form 2C)

Composite Sample (for GC/MS volatile organic analysis) consists of at least four aliquots or grab samples collected during the sampling event (not necessarily flow proportioned). The samples must be combined in the laboratory immediately before analysis and then one analysis is performed. (EPA Form 2C)

Daily Average Temperature means the average of all temperature measurements made, or the mean value plot of the record of a continuous automated temperature recording instrument, either during a calendar day or during the operating day if flows are of a shorter duration.

Daily Discharge means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the "daily discharge" is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the "daily discharge" is calculated as the average measurement of the pollutant over the day. (25 Pa. Code 92a.2 and 40 CFR 122.2)

Daily Maximum Discharge Limitation means the highest allowable "daily discharge."

Discharge Monitoring Report (DMR) means the DEP or EPA supplied form(s) for the reporting of self-monitoring results by the permittee. (25 Pa. Code 92a.2 and 40 CFR 122.2)

Estimated Flow means any method of liquid volume measurement based on a technical evaluation of the sources contributing to the discharge including, but not limited to, pump capabilities, water meters and batch discharge volumes.

Geometric Mean means the average of a set of n sample results given by the nth root of their product.

Grab Sample means an individual sample of at least 100 mL collected at a randomly selected time over a period not to exceed 15 minutes. (EPA Form 2C)

Hazardous Substance means any substance designated under 40 CFR Part 116 pursuant to Section 311 of the Clean Water Act. (40 CFR 122.2)

Hauled-In Wastes means any waste that is introduced into a treatment facility through any method other than a direct connection to the sewage collection system. The term includes wastes transported to and disposed of within the treatment facility or other entry points within the collection system.

Immersion Stabilization (i-s) means a calibrated device is immersed in the wastewater until the reading is stabilized.

Instantaneous Maximum Effluent Limitation means the highest allowable discharge of a concentration or mass of a substance at any one time as measured by a grab sample. (25 Pa. Code 92a.2)

Measured Flow means any method of liquid volume measurement, the accuracy of which has been previously demonstrated in engineering practice, or for which a relationship to absolute volume has been obtained.

Monthly Average Discharge Limitation means the highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month. (25 Pa. Code 92a.2)

Non-contact Cooling Water means water used to reduce temperature which does not come in direct contact with any raw material, intermediate product, waste product (other than heat), or finished product.

Severe Property Damage means substantial physical damage to property, damage to the treatment facilities that causes them to become inoperable, or substantial and permanent loss of natural resources that can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production. (40 CFR 122.41(m)(1)(ii))

Stormwater means the runoff from precipitation, snow melt runoff, and surface runoff and drainage. (25 Pa. Code 92a.2)

Stormwater Associated With Industrial Activity means the discharge from any conveyance that is used for collecting and conveying stormwater and that is directly related to manufacturing, processing, or raw materials storage areas at an industrial plant, and as defined at 40 CFR §122.26(b)(14)(i) - (ix) and (xi) and 25 Pa. Code 92a.2.

Total Dissolved Solids means the total dissolved (filterable) solids as determined by use of the method specified in 40 CFR Part 136.

Toxic Pollutant means those pollutants, or combinations of pollutants, including disease-causing agents, which after discharge and upon exposure, ingestion, inhalation or assimilation into any organism, either directly from the environment or indirectly by ingestion through food chains may, on the basis of information available to DEP cause death, disease, behavioral abnormalities, cancer, genetic mutations, physiological malfunctions, including malfunctions in reproduction, or physical deformations in these organisms or their offspring. (25 Pa. Code 92a.2)

III. SELF-MONITORING, REPORTING AND RECORDKEEPING

A. Representative Sampling

1. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity (40 CFR 122.41(i)(1)). Representative sampling includes the collection of samples, where possible, during periods of adverse weather, changes in treatment plant performance and changes in treatment plant loading. If possible, effluent samples must be collected where the effluent is well mixed near the center of the discharge conveyance and at the approximate mid-depth point, where the turbulence is at a maximum and the settlement of solids is minimized. (40 CFR 122.48 and 25 Pa. Code § 92a.61)

2. Records Retention (40 CFR 122.41(i)(2))

Except for records of monitoring information required by this permit related to the permittee's sludge use and disposal activities which shall be retained for a period of at least 5 years, all records of monitoring activities and results (including all original strip chart recordings for continuous monitoring instrumentation and calibration and maintenance records), copies of all reports required by this permit, and records of all data used to complete the application for this permit shall be retained by the permittee for 3 years from the date of the sample measurement, report or application. The 3-year period shall be extended as requested by DEP or the EPA Regional Administrator.

3. Recording of Results (40 CFR 122.41(i)(3))

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information:

- a. The exact place, date and time of sampling or measurements.
- b. The person(s) who performed the sampling or measurements.
- c. The date(s) the analyses were performed.
- d. The person(s) who performed the analyses.
- e. The analytical techniques or methods used; and the associated detection level.
- f. The results of such analyses.

4. Test Procedures (40 CFR 122.41(i)(4))

Facilities that test or analyze environmental samples used to demonstrate compliance with this permit shall be in compliance with laboratory accreditation requirements of Act 90 of 2002 (27 Pa. C.S. §§4101-4113) and 25 Pa. Code Chapter 252, relating to environmental laboratory accreditation. Unless otherwise specified in this permit, the test procedures for the analysis of pollutants shall be those approved under 40 CFR Part 136 (or in the case of sludge use or disposal, approved under 40 CFR Part 136, unless otherwise specified in 40 CFR Part 503 or Subpart J of 25 Pa. Code Chapter 271), or alternate test procedures approved pursuant to those parts, unless other test procedures have been specified in this permit.

5. Quality/Assurance/Control

In an effort to assure accurate self-monitoring analyses results:

- a. The permittee, or its designated laboratory, shall participate in the periodic scheduled quality assurance inspections conducted by DEP and EPA. (40 CFR 122.41(e), 122.41(i)(3))
- b. The permittee, or its designated laboratory, shall develop and implement a program to assure the quality and accurateness of the analyses performed to satisfy the requirements of this permit, in accordance with 40 CFR Part 136. (40 CFR 122.41(i)(4))

B. Reporting of Monitoring Results

1. The permittee shall effectively monitor the operation and efficiency of all wastewater treatment and control facilities, and the quantity and quality of the discharge(s) as specified in this permit. (40 CFR 122.41(e), 122.44(i)(1))
2. Discharge Monitoring Reports (DMRs) must be completed in accordance with DEP's published DMR Instructions (3800-BPNPSM-0463). DMRs are based on calendar reporting periods. DMR(s) must be received by the agency(ies) specified in paragraph 3 below in accordance with the following schedule:
 - Monthly DMRs must be received within 28 days following the end of each calendar month.
 - Quarterly DMRs must be received within 28 days following the end of each calendar quarter, i.e., January 28, April 28, July 28, and October 28.
 - Semiannual DMRs must be received within 28 days following the end of each calendar semiannual period, i.e., January 28 and July 28.
 - Annual DMRs must be received by January 28, unless Part C of this permit requires otherwise.
3. The permittee shall complete all Supplemental Reporting forms (Supplemental DMRs) provided by DEP in this permit (or an approved equivalent), and submit the signed, completed forms as an attachment to the DMR(s). If the permittee elects to use DEP's electronic DMR (eDMR) system, one electronic submission may be made for DMRs and Supplemental DMRs. If paper forms are used, the completed forms shall be mailed to:

Department of Environmental Protection
Clean Water Program
909 Elmerton Avenue
Harrisburg, PA 17110-8200
4. If the permittee elects to begin using DEP's eDMR system to submit DMRs required by the permit, the permittee shall, to assure continuity of business operations, continue using the eDMR system to submit all DMRs and Supplemental Reports required by the permit, unless the following steps are completed to discontinue use of eDMR:
 - a. The permittee shall submit written notification to the regional office that issued the permit that it intends to discontinue use of eDMR. The notification shall be signed by a principal executive officer or authorized agent of the permittee.
 - b. The permittee shall continue using eDMR until the permittee receives written notification from DEP's Central Office that the facility has been removed from the eDMR system, and electronic report submissions are no longer expected.
5. The completed DMR Form shall be signed and certified by either of the following applicable persons, as defined in 25 Pa. Code 92a.22:
 - For a corporation - by a principal executive officer of at least the level of vice president, or an authorized representative, if the representative is responsible for the overall operation of the facility from which the discharge described in the NPDES form originates.
 - For a partnership or sole proprietorship - by a general partner or the proprietor, respectively.
 - For a municipality, state, federal or other public agency - by a principal executive officer or ranking elected official.

If signed by a person other than the above, written notification of delegation of DMR signatory authority must be submitted to DEP in advance of or along with the relevant DMR form. (40 CFR 122.22(b))

6. If the permittee monitors any pollutant at monitoring points as designated by this permit, using analytical methods described in Part A III.A.4. herein, more frequently than the permit requires, the results of this monitoring shall be incorporated, as appropriate, into the calculations used to report self-monitoring data on the DMR. (40 CFR 122.41(l)(4)(ii))

C. Reporting Requirements

1. **Planned Changes to Physical Facilities** – The permittee shall give notice to DEP as soon as possible but no later than 30 days prior to planned physical alterations or additions to the permitted facility. A permit under 25 Pa. Code Chapter 91 may be required for these situations prior to implementing the planned changes. A permit application, or other written submission to DEP, can be used to satisfy the notification requirements of this section.

Notice is required when:

- a. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR §122.29(b). (40 CFR 122.41(l)(1)(i))
 - b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are not subject to effluent limitations in this permit. (40 CFR 122.41(l)(1)(ii))
 - c. The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan. (40 CFR 122.41(l)(1)(iii))
 - d. The planned change may result in noncompliance with permit requirements. (40 CFR 122.41(l)(2))
 - e. The facility is proposing an expansion or modifications to its treatment processes.
2. **Planned Changes to Waste Stream** – Under the authority of 25 Pa. Code 92a.24(a), the permittee shall provide notice to DEP as soon as possible but no later than 45 days prior to any changes in the volume or pollutant concentration of its influent waste stream as a result of indirect discharges or hauled-in wastes, as specified in paragraphs 2.a. and 2.b., below. Notice shall be provided on the "Planned Changes to Waste Stream" Supplemental Report (3800-FM-BPNPSM0482), available on DEP's web site. The permittee shall provide information on the quality and quantity of waste introduced into the facility, and any anticipated impact of the change on the quantity or quality of effluent to be discharged from the facility. The Report shall be sent via Certified Mail or other means to confirm DEP's receipt of the notification. DEP will determine if the submission of a new application and receipt of a new or amended permit is required.
- a. **Introduction of New Pollutants** (25 Pa. Code 92a.24(a))

New pollutants are defined as parameters that meet one or more of the following criteria:

- (i) Were not detected in the facilities' influent waste stream as reported in the permit application, or were otherwise not analyzed in the influent and reported to DEP prior to permit issuance;
- (ii) Have not been previously approved to be included in the permittee's influent waste stream by DEP in writing.

The permittee shall provide notification of the introduction of new pollutants in accordance with paragraph 2 above. The permittee may not authorize the introduction of new pollutants until the permittee receives DEP's written approval.

- b. **Increased Loading of Approved Pollutants** (25 Pa. Code 92a.24(a))

Approved pollutants are defined as parameters that meet one or more of the following criteria:

- (i) Were detected in the facilities' influent waste stream as reported in the permittee's permit application or were otherwise analyzed and reported to DEP prior to permit issuance;
- (ii) Have an effluent limitation or monitoring requirement in this permit;
- (iii) Have been previously approved for the permittee's influent waste stream by DEP in writing.

The permittee shall provide notification of the introduction of increased influent loading (lbs/day) of approved pollutants in accordance with paragraph 2 above when (1) the cumulative increase in influent loading (lbs/day) exceeds 10% of the maximum loading reported in the permit application, or a loading previously approved by DEP, or (2) may cause an exceedance in the effluent of Effluent Limitation Guidelines (ELGs) or limitations in Part A of this permit, or (3) may cause interference or pass through at the facility, or (4) may cause exceedances of the applicable water quality standards in the receiving stream. Unless specified otherwise in this permit, if DEP does not respond to the notification within 30 days of its receipt, the permittee may proceed with the increase in loading. The acceptance of increased loading of approved pollutants may not result in an exceedance of ELGs or effluent limitations and may not cause exceedances of the applicable water quality standards in the receiving stream.

c. New Information on Existing Discharges

The permittee shall notify DEP where it discovers new information, not reported previously, on the quality and quantity of the effluent introduced into the facility by an industrial user or an indirect discharger and the anticipated impact of the change in the quality and quantity of effluent to be discharged from the facility. (40 CFR 122.41(h) and 122.62)

3. Reporting Requirements for Hauled-In Wastes

a. Receipt of Residual Waste

- (i) The permittee shall document the receipt of all hauled-in residual wastes (including but not limited to wastewater from oil and gas wells, food processing waste, and landfill leachate) received for processing at the treatment facility. The permittee shall report hauled-in residual wastes on a monthly basis to DEP on the "Hauled In Residual Wastes" Supplemental Report (3800-FM-BPNPSM0450) as an attachment to the DMR. If no residual wastes were received during a month, submission of the Supplemental Report is not required.

The following information is required by the Supplemental Report. The information used to develop the Report shall be retained by the permittee for five years from the date of receipt and must be made available to DEP or EPA upon request.

- (1) The dates that residual wastes were received.
- (2) The volume (gallons) of wastes received.
- (3) The license plate number of the vehicle transporting the waste to the treatment facility.
- (4) The permit number(s) of the well(s) where residual wastes were generated, if applicable.
- (5) The name and address of the generator of the residual wastes.
- (6) The type of wastewater.

- (7) Documentation of whether or not a chemical analysis of the residual wastes were reported on a Residual Waste Form 26R, or a separate waste characterization using the parameters from Form 26R.

The transporter of residual waste must maintain these and other records as part of the daily operational record (25 Pa. Code 299.219). If the transporter is unable to provide this information, the residual wastes shall not be accepted by the permittee until such time as the transporter is able to provide the required information.

- (ii) The following conditions apply to the characterization of residual wastes received by the permitted treatment facility:
- (1) The permitted facility must receive and maintain on file a characterization of the residual wastes it receives from the generator, as required by 25 Pa. Code 287.54. The characterization shall conform to the Bureau of Waste Management's Form 26R except as noted in paragraph (2), below. Each load of residual waste received must be characterized accordingly.
 - (2) For wastewater generated from hydraulic fracturing operations ("frac wastewater") within the first 30 production days of a well site, the characterization may be a general frac wastewater characterization approved by DEP. Thereafter, the characterization must be waste-specific and reported on the Form 26R.

b. Receipt of Municipal Waste

- (i) The permittee shall document the receipt of all hauled-in municipal wastes (including but not limited to septage and liquid sewage sludge) received for processing at the treatment facility. The permittee shall report hauled-in municipal wastes on a monthly basis to DEP on the "Hauled In Municipal Wastes" Supplemental Report (3800-FM-BPNPSM0437) as an attachment to the DMR. If no municipal wastes were received during a month, submission of the Supplemental Report is not required.

The following information is required by the Supplemental Report:

- (1) The dates that municipal wastes were received.
- (2) The volume (gallons) of wastes received.
- (3) The BOD₅ concentration (mg/l) and load (lbs) for the wastes received.
- (4) The location(s) where wastes were disposed of within the treatment facility.

- (ii) Sampling and analysis of hauled-in municipal wastes must be completed to characterize the organic strength of the wastes, unless composite sampling of influent wastewater is performed at a location downstream of the point of entry for the wastes.

4. Unanticipated Noncompliance or Potential Pollution Reporting

- a. Immediate Reporting - The permittee shall immediately report any incident causing or threatening pollution in accordance with the requirements of 25 Pa. Code Sections 91.33 and 92a.41(b).
- (i) If, because of an accident, other activity or incident a toxic substance or another substance which would endanger users downstream from the discharge, or would otherwise result in pollution or create a danger of pollution or would damage property, the permittee shall immediately notify DEP by telephone of the location and nature of the danger. Oral notification to the Department is required as soon as possible, but no later than 4 hours after the permittee becomes aware of the incident causing or threatening pollution.

- (ii) If reasonably possible to do so, the permittee shall immediately notify downstream users of the waters of the Commonwealth to which the substance was discharged. Such notice shall include the location and nature of the danger.
 - (iii) The permittee shall immediately take or cause to be taken steps necessary to prevent injury to property and downstream users of the waters from pollution or a danger of pollution and, in addition, within 15 days from the incident, shall remove the residual substances contained thereon or therein from the ground and from the affected waters of this Commonwealth to the extent required by applicable law.
- b. The permittee shall report any noncompliance which may endanger health or the environment in accordance with the requirements of 40 CFR 122.41(l)(6). These requirements include the following obligations:
- (i) **24 Hour Reporting** - The permittee shall orally report any noncompliance with this permit which may endanger health or the environment within 24 hours from the time the permittee becomes aware of the circumstances. The following shall be included as information which must be reported within 24 hours under this paragraph:
 - (1) Any unanticipated bypass which exceeds any effluent limitation in the permit;
 - (2) Any upset which exceeds any effluent limitation in the permit; and
 - (3) Violation of the maximum daily discharge limitation for any of the pollutants listed in the permit as being subject to the 24-hour reporting requirement. (40 CFR 122.44(g))
 - (ii) **Written Report** - A written submission shall also be provided within 5 days of the time the permittee becomes aware of any noncompliance which may endanger health or the environment. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.
 - (iii) **Waiver of Written Report** - DEP may waive the written report on a case-by-case basis if the associated oral report has been received within 24 hours from the time the permittee becomes aware of the circumstances which may endanger health or the environment. Unless such a waiver is expressly granted by DEP, the permittee shall submit a written report in accordance with this paragraph. (40 CFR 122.41(l)(6)(iii))

5. Other Noncompliance

The permittee shall report all instances of noncompliance not reported under paragraph C.4 of this section or specific requirements of compliance schedules, at the time DMRs are submitted, on the Non-Compliance Reporting Form (3800-FM-BPNPSM0440). The reports shall contain the information listed in paragraph C.4.b.(ii) of this section. (40 CFR 122.41(l)(7))

PART B**I. MANAGEMENT REQUIREMENTS****A. Compliance Schedules (25 Pa. Code 92a.51 and 40 CFR 122.47(a))**

1. The permittee shall achieve compliance with the terms and conditions of this permit within the time frames specified in this permit.
2. The permittee shall submit reports of compliance or noncompliance, or progress reports as applicable, for any interim and final requirements contained in this permit. Such reports shall be submitted no later than 14 days following the applicable schedule date or compliance deadline. (40 CFR 122.47(a)(4))

B. Permit Modification, Termination, or Revocation and Reissuance

1. This permit may be modified, terminated, or revoked and reissued during its term in accordance with Title 25 Pa. Code 92a.72 and 40 CFR 122.41(f).
2. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition. (40 CFR 122.41(f))
3. In the absence of DEP action to modify or revoke and reissue this permit, the permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants within the time specified in the regulations that establish those standards or prohibitions. (40 CFR 122.41(a)(1))

C. Duty to Provide Information

1. The permittee shall furnish to DEP, within a reasonable time, any information which DEP may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. (40 CFR 122.41(h))
2. The permittee shall furnish to DEP, upon request, copies of records required to be kept by this permit. (40 CFR 122.41(h))
3. Other Information - Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to DEP, it shall promptly submit the correct and complete facts or information. (40 CFR 122.41(l)(8))
4. If the sewage treatment facility provides service in part or whole to a municipality, through a contract or agreement between the operator and municipality, an annual report shall be submitted to DEP by March 31 containing the following information, at a minimum:
 - a. The information identified in 25 Pa. Code 94.12.
 - b. A "Solids Management Inventory" including the following information for the preceding year, at a minimum: average annual flow (MGD), average influent BOD₅ (mg/l), average effluent CBOD₅ (mg/l), total volume of sludge wasted (gallons), average solids concentration of return or waste sludge flow (mg/l), and total sludge or biosolids generated (wet or dry tons).
 - c. The total volume of hauled-in residual and municipal wastes received during the year, by source.

D. General Pretreatment Requirements

Where pollutants contributed by indirect dischargers result in interference or pass through, and a violation is likely to recur, the permittee shall develop and enforce specific limits for indirect dischargers and other users, as appropriate, that together with appropriate facility or operational changes, are necessary to

ensure renewed or continued compliance with this permit or sludge use or disposal practices. The permittee shall submit a copy of such limits to DEP when developed. (25 Pa. Code 92a.47(d))

E. Proper Operation and Maintenance

1. The permittee shall employ operators certified in compliance with the Water and Wastewater Systems Operators Certification Act (63 P.S. §§1001-1015.1).
2. 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 and conditions of this permit. Proper operation and maintenance includes, but is not limited to, adequate laboratory controls including appropriate quality assurance procedures. This provision also includes the operation of backup or auxiliary facilities or similar systems that are installed by the permittee, only when necessary to achieve compliance with the terms and conditions of this permit. (40 CFR 122.41(e))

F. Duty to Mitigate

The permittee shall take all reasonable steps to minimize or prevent any discharge, sludge use or disposal in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment. (40 CFR 122.41(d))

G. Bypassing

1. Bypassing Not Exceeding Permit Limitations - The permittee may allow a bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions in paragraphs two, three and four of this section. (40 CFR 122.41(m)(2))
2. Other Bypassing - In all other situations, bypassing is prohibited and DEP may take enforcement action against the permittee for bypass unless:
 - a. A bypass is unavoidable to prevent loss of life, personal injury or "severe property damage." (40 CFR 122.41(m)(4)(i)(A))
 - b. There are no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate backup equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance. (40 CFR 122.41(m)(4)(i)(B))
 - c. The permittee submitted the necessary notice required in G.4.a. and b. below. (40 CFR 122.41(m)(4)(i)(C))
3. DEP may approve an anticipated bypass, after considering its adverse effects, if DEP determines that it will meet the conditions listed in G.2. above. (40 CFR 122.41(m)(4)(ii))
4. Notice
 - a. Anticipated Bypass - If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible, at least 10 days before the bypass. (40 CFR 122.41(m)(3)(i))
 - b. Unanticipated Bypass
 - (i) The permittee shall submit immediate notice of an unanticipated bypass causing or threatening pollution. The notice shall be in accordance with Part A III.3.a.

- (ii) The permittee shall submit oral notice of any other unanticipated bypass within 24 hours, regardless of whether the bypass may endanger health or the environment or whether the bypass exceeds effluent limitations. The notice shall be in accordance with Part A III.C.3.b.

H. Sanitary Sewer Overflows (SSOs)

An SSO is an overflow of wastewater, or other untreated discharge from a separate sanitary sewer system (which is not a combined sewer system), which results from a flow in excess of the carrying capacity of the system or from some other cause prior to reaching the headworks of the sewage treatment facility. SSOs are not authorized under this permit. The permittee shall immediately report any SSO to DEP in accordance with Part A III.C.4 of this permit.

II. PENALTIES AND LIABILITY

A. Violations of Permit Conditions

Any person violating Sections 301, 302, 306, 307, 308, 318 or 405 of the Clean Water Act or any permit condition or limitation implementing such sections in a permit issued under Section 402 of the Act is subject to civil, administrative and/or criminal penalties as set forth in 40 CFR §122.41(a)(2).

Any person or municipality, who violates any provision of this permit; any rule, regulation or order of DEP; or any condition or limitation of any permit issued pursuant to the Clean Streams Law, is subject to criminal and/or civil penalties as set forth in Sections 602, 603 and 605 of the Clean Streams Law.

B. Falsifying Information

Any person who does any of the following:

- Falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit, or
- Knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit (including monitoring reports or reports of compliance or noncompliance)

Shall, upon conviction, be punished by a fine and/or imprisonment as set forth in 18 Pa.C.S.A § 4904 and 40 CFR §122.41(j)(5) and (k)(2).

C. Liability

Nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance pursuant to Section 309 of the Clean Water Act or Sections 602, 603 or 605 of the Clean Streams Law.

Nothing in this permit shall be construed to preclude the institution of any legal action or to relieve the permittee from any responsibilities, liabilities or penalties to which the permittee is or may be subject to under the Clean Water Act and the Clean Streams Law.

D. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for the permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. (40 CFR 122.41(c))

III. OTHER RESPONSIBILITIES

A. Right of Entry

Pursuant to Sections 5(b) and 305 of Pennsylvania's Clean Streams Law, and Title 25 Pa. Code Chapter 92a and 40 CFR §122.41(i), the permittee shall allow authorized representatives of DEP and EPA, upon the presentation of credentials and other documents as may be required by law:

1. To enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit; (40 CFR 122.41(i)(1))
2. To have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit; (40 CFR 122.41(i)(2))
3. To inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices or operations regulated or required under this permit; and (40 CFR 122.41(i)(3))
4. To sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act or the Clean Streams Law, any substances or parameters at any location. (40 CFR 122.41(i)(4))

B. Transfer of Permits

1. Transfers by modification. Except as provided in paragraph 2 of this section, a permit may be transferred by the permittee to a new owner or operator only if this permit has been modified or revoked and reissued, or a minor modification made to identify the new permittee and incorporate such other requirements as may be necessary under the Clean Water Act. (40 CFR 122.61(a))
2. Automatic transfers. As an alternative to transfers under paragraph 1 of this section, any NPDES permit may be automatically transferred to a new permittee if:
 - a. The current permittee notifies DEP at least 30 days in advance of the proposed transfer date in paragraph 2.b. of this section; (40 CFR 122.61(b)(1))
 - b. The notice includes the appropriate DEP transfer form signed by the existing and new permittees containing a specific date for transfer of permit responsibility, coverage and liability between them; and (40 CFR 122.61(b)(2))
 - c. DEP does not notify the existing permittee and the proposed new permittee of its intent to modify or revoke and reissue this permit, the transfer is effective on the date specified in the agreement mentioned in paragraph 2.b. of this section. (40 CFR 122.61(b)(3))
 - d. The new permittee is in compliance with existing DEP issued permits, regulations, orders and schedules of compliance, or has demonstrated that any noncompliance with the existing permits has been resolved by an appropriate compliance action or by the terms and conditions of the permit (including compliance schedules set forth in the permit), consistent with 25 Pa. Code 92a.51 (relating to schedules of compliance) and other appropriate DEP regulations. (25 Pa. Code 92a.71)
3. In the event DEP does not approve transfer of this permit, the new owner or controller must submit a new permit application.

C. Property Rights

The issuance of this permit does not convey any property rights of any sort, or any exclusive privilege. 40 CFR 122.41(g)

D. Duty to Reapply

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for a new permit. (40 CFR 122.41(b))

E. Other Laws

The issuance of this permit does not authorize any injury to persons or property or invasion of other private rights, or any infringement of state or local law or regulations.

IV. ANNUAL FEE

Permittees shall pay an annual fee in accordance with 25 Pa. Code § 92a.62. Annual fee amounts are specified in the following schedule and are due on each anniversary of the effective date of the most recent new or reissued permit. All flows identified in the schedule are annual average design flows. (25 Pa. Code 92a.62)

Small Flow Treatment Facility (SRSTP or SFTF)	\$0
Minor Sewage Facility < 0.05 MGD (million gallons per day)	\$250
Minor Sewage Facility ≥ 0.05 and < 1 MGD	\$500
Minor Sewage Facility with CSO (Combined Sewer Overflow)	\$750
Major Sewage Facility ≥ 1 and < 5 MGD	\$1,250
Major Sewage Facility ≥ 5 MGD	\$2,500
Major Sewage Facility with CSO	\$5,000

As of the effective date of this permit, the facility covered by the permit is classified in the following fee category: **Minor Sewage Facility ≥ 0.05 and < 1 MGD.**

Invoices for annual fees will be mailed to permittees approximately three months prior to the due date. In the event that an invoice is not received, the permittee is nonetheless responsible for payment. Throughout a five year permit term, permittees will pay four annual fees followed by a permit renewal application fee in the last year of permit coverage. Permittees may contact the DEP at 717-787-6744 with questions related to annual fees.

Payment for annual fees shall be remitted to DEP at the address below by the anniversary date. Checks should be made payable to the Commonwealth of Pennsylvania.

PA Department of Environmental Protection
Bureau of Point and Non-Point Source Management
Re: Chapter 92a Annual Fee
P.O. Box 8466
Harrisburg, PA 17105-8466

PART C**I. OTHER REQUIREMENTS**

- A. No stormwater from pavements, areaways, roofs, foundation drains or other sources shall be admitted directly to the sanitary sewers associated with the herein approved discharge.
- B. 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 associated with the herein approved discharge in, along, or across private property, with full rights of ingress, egress and regress.
- C. Collected screenings, slurries, sludges, and other solids shall be handled and disposed of in compliance with the Solid Waste Management Act (35 P.S. §§ 6018.101 - 6018.1003), and in a manner equivalent to the requirements indicated in Chapters 271, 273, 275, 283, and 285 (relating to permits and requirements for landfilling, land application, incineration, and storage of sewage sludge), Federal Regulation 40 CFR Parts 501 and 503, The Clean Streams Law, and the Federal Clean Water Act and its amendments.
- D. If, after the issuance of this permit, DEP approves a municipal sewage facilities official plan or an amendment to an official plan under Act 537 (Pennsylvania Sewage Facilities Act, the Act of January 24, 1966, P.L. 1535 as amended) in which sewage from the herein approved facilities will be treated and disposed of at other planned facilities, the permittee shall, upon notification from the municipality or DEP, provide for the conveyance of its sewage to the planned facilities, abandon use and decommission the herein approved facilities including the proper disposal of solids, and notify DEP accordingly. The permittee shall adhere to schedules in the approved official plan, amendments to the plan, or other agreements between the permittee and municipality. This permit shall then, upon notice from DEP, terminate and become null and void and shall be relinquished to DEP.
- E. The permittee shall ensure that applied chlorine, used for disinfection or other purposes, is optimized to the degree necessary to minimize the total residual chlorine in the discharge. In doing so, the permittee shall consider relevant factors affecting chlorine dosage, such as wastewater characteristics, mixing and contact times, and desired result of chlorination.
- F. The permittee shall complete all Supplemental Reporting forms provided by the Department in this permit (or an approved equivalent), and submit the signed, completed forms to the Department on a monthly basis with the DMR, in accordance with Part A III.B of this permit.
- G. This permit requires continuous measured flow monitoring. Continuous flow measurement is defined as a metering device capable of automating the flow measuring process in association with a recorder and/or totalizer to provide instantaneous and historical flow data.
- H. The effluent limitations for Outfall 001 were determined using an effluent discharge rate of 0.050 MGD.



DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF POINT AND NON-POINT SOURCE MANAGEMENT
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
DISCHARGE MONITORING REPORT (DMR)

PERMITTEE NAME/ADDRESS
Memphord Estates Sewerage Company
Inc.
PO Box 421
Dillsburg, PA 17019-1007
FACILITY
Memphord Estates STP
LOCATION
Monaghan Township
York County
WATERSHED
7-E

PA0081361
PERMIT NUMBER

001
OUTFALL NUMBER

Reporting Frequency: Monthly
DMR Effective From: March 1, 2013
DMR Effective To: February 28, 2018
Permit Expires: February 28, 2018
Permit Application Due: September 1, 2017

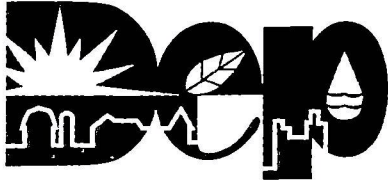
Check Here if No Discharge

NOTE: Read Instructions before completing this form

PARAMETER	QUANTITY OR LOADING		QUALITY OR CONCENTRATION		UNITS	NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE
	VALUE	UNITS	VALUE	UNITS				
Flow	SAMPLE MEASUREMENT	Report Avg Mo	*****	*****	*****			
	PERMIT REQUIREMENT	Report Daily/Max	*****	*****	*****		Continuous	Measured
pH	SAMPLE MEASUREMENT	*****	5.0 Min	9.0 Max	S.U.		1/day	Grab
	PERMIT REQUIREMENT	*****	5.0 Min	*****	*****		1/day	Grab
Dissolved Oxygen	SAMPLE MEASUREMENT	*****	*****	*****	*****			
	PERMIT REQUIREMENT	*****	*****	*****	*****			
Total Residual Chlorine	SAMPLE MEASUREMENT	*****	*****	0.50 Avg Mo	1.6 IMAX		1/day	Grab
	PERMIT REQUIREMENT	*****	*****	*****	*****			
CBOD5	SAMPLE MEASUREMENT	*****	*****	25 Avg Mo	*****		2/month	8-Hr Composite
	PERMIT REQUIREMENT	*****	*****	*****	*****			
Total Suspended Solids	SAMPLE MEASUREMENT	*****	*****	30 Avg Mo	*****		2/month	8-Hr Composite
	PERMIT REQUIREMENT	*****	*****	*****	*****			
Fecal Coliform Oct 1 - Apr 30	SAMPLE MEASUREMENT	*****	*****	2,000 Geo Mean	10,000 IMAX		2/month	Grab
	PERMIT REQUIREMENT	*****	*****	*****	*****			
NAME/TITLE PRINCIPAL EXECUTIVE OFFICER		SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT		TELEPHONE		DATE		
TYPED OR PRINTED				AREA CODE		NUMBER		MO DAY

COMMENTS (Report all violations on the "Non-Compliance Reporting Form")

Attachment A-I-2



Pennsylvania Department of Environmental Protection

One Ararat Boulevard
Harrisburg, PA 17110-9333

Southcentral Regional Office

JUN 13 1997

717-657-4590
FAX - 717-657-4446

Mr. Halvard Alexander
Mesco, Inc.
148 South Baltimore Street
Dillsburg, PA 17019

Re: Sewage
Memphord Estates Section 6
Part II Permit No. 6796411
Planning Code No. A3-67941-069-3
Monaghen Township, York County

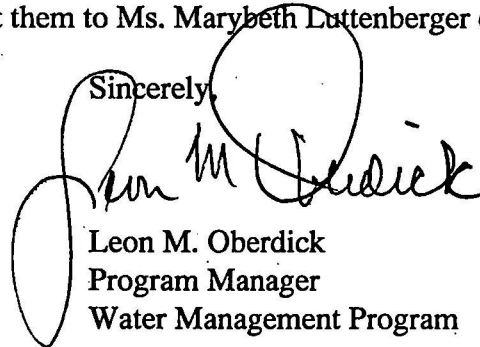
Dear Mr. Alexander:

Subject permit is enclosed.

The permittee shall comply with all Special Conditions attached to this Permit. Construction must be done in accordance to the permit application and all supporting documentation. Review the permit conditions and application-supporting documents before starting construction.

If you have any questions, please direct them to Ms. Marybeth Luttenberger of the Permits Section.

Sincerely,



Leon M. Oberdick
Program Manager
Water Management Program

Enclosures

cc: Scott Akens, Akens Engineering Associates, Inc.





Pennsylvania Department of Environmental Protection
WATER MANAGEMENT PERMIT

PERMIT NO. 6796411
AMENDMENT NO. _____

A. Permittee (Name and Address) Mesco, Inc. 148 South Baltimore Street Dillsburg, PA 17019	B. Project: Name <u>Memphord Estates Section 6</u> Municipality <u>Monaghan Township</u> County <u>York</u>
--	---

C. This: Permit Permit Amendment Impoundment Closure

Approves: The construction/operation of: Modifications to the construction/operation of:

<input type="checkbox"/> Sewage Treatment Facilities Design - Hydraulic _____ MGD Design - Organic _____ #BOD/day	<input type="checkbox"/> Industrial Waste Treatment Facilities Other: _____
<input type="checkbox"/> Land Application Facilities	<input checked="" type="checkbox"/> Pump Stations Design - Hydraulic _____
<input checked="" type="checkbox"/> Sewers and Appurtenances	<input type="checkbox"/> Injection Well(s)
<input type="checkbox"/> Impoundment(s) and Liner System	<input type="checkbox"/> Groundwater Monitoring Well(s)

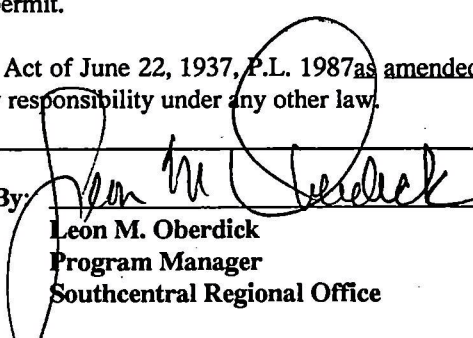
Brief description of permitted activity: Construction of sanitary sewers and a pump station for 43 single family homes. The pump station will serve 27 of the homes and is designed for 11,200 gpd.

D. This approval is subject to the following conditions:

1. All construction, operations, and procedures shall be in accordance with the application dated May 23, 1996, its supporting documentation, and addenda dated May 28, 1997. Such application, its supporting documentation and/or addenda are hereby made part of this permit.
2. Special Conditions A through O.

E. The authority granted by the permit is subject to the following further qualifications:

1. If there is a conflict between the application or its supporting documents and/or addenda 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. Issuance of the permit shall not relieve the permittee of any responsibility under any other law.

Permit Issued: <u>JUN 13 1997</u> Permit Amended: _____	By:  Leon M. Oberdick Program Manager Southcentral Regional Office
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WATER MANAGEMENT PERMIT

Mesco, Inc.

PART II NO. 6796411

PAGE 2

Monaghan Township
York County

SPECIAL CONDITIONS:

- A. All connections to the herein approved sanitary sewers must be in accordance with the connection control plan as contained in the approved Chapter 94 Wasteload Management Plan.
- B. 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.
- C. The sewers shall have adequate foundation support as soil conditions require. Trenches shall be backfilled 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.
- D. 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.
- E. No stormwater from pavements, area ways, roofs, foundation drains or other sources shall be admitted to the sanitary sewers herein approved.
- F. 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.
- G. 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.
- H. The permittee shall file with the Department "as-built" plans showing the correct plan of all sewers and sewerage structures as actually constructed, together with any other related information that may be required.
- I. 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.

WATER MANAGEMENT PERMIT

Mesco, Inc.

PART II NO. 6796411

PAGE 3

Monaghan Township
York County

- J. 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 these 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.
- K. 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 unit of the sewage treatment works, or by any appurtenance thereof, or 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.
- L. 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.
- M. 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.
- N. 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.
- O. 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.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
WATER MANAGEMENT PROGRAM

INTERNAL REVIEW AND RECOMMENDATIONS

Name of Applicant Mesco, Inc. Project Memphord Estates Permit No. 6796411
Location Monaghan Township Amendment No. _____
York County

BRIEF DESCRIPTION OF PROJECT AND DISCUSSION

Construction of 8" sanitary sewers and a pump station to serve 43 single family homes on Summer Drive Extended in Section 6 of Memphord Estates. The pump station will serve 27 of the 43 homes and is designed for 11,200 gpd. The planning approval and Conservation District letter have been addressed for Section 4, Akens Engineering, the applicants agent, by letter dated May 13, 1997 has changed the name to Section 6. Planning was approved by letter dated May 8, 1997, DEP Code No. A3-67941-069-3.

The E & S approval was given by the York County Conservation District by letter dated September 20, 1996.

CURRENT ESTIMATE OF COMPLETION DATE OF PROJECT (Industrial Wastes Only)

Recommendation and Action

Approve -- Issue by Region	Approve -- Issue by Central Office	Refuse	Signature	Date
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	REVIEWING HYDROGEOLOGIST	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	HYDROGEOLOGIST IN RESPONSIBLE CHARGE	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Marybeth Lutfenberger</i> Marybeth Lutfenberger REVIEWING ENGINEER	6.9.97
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	G. Roger Musselman, P.E. REGIONAL PERMITS SECTION CHIEF	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Leon M. Oberdick PROGRAM MANAGER <i>LM Oberdick</i>	6/12/97

Permit Conditions

1. Special -A through O.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
WATER MANAGEMENT PROGRAM

INTERNAL REVIEW AND RECOMMENDATIONS

Name of Applicant Mesco, Inc. Project Memphord Estates Permit No. 6796411
Location Monaghan Township Amendment No.
York County

BRIEF DESCRIPTION OF PROJECT AND DISCUSSION

Construction of 8" sanitary sewers and a pump station to serve 43 single family homes on Summer Drive Extended in Section 6 of Memphord Estates. The pump station will serve 27 of the 43 homes and is designed for 11,200 gpd. The planning approval and Conservation District letter have been addressed for Section 4, Akens Engineering, the applicants agent, by letter dated May 13, 1997 has changed the name to Section 6. Planning was approved by letter dated May 8, 1997, DEP Code No. A3-67941-069-3.

The E & S approval was given by the York County Conservation District by letter dated September 20, 1996.

CURRENT ESTIMATE OF COMPLETION DATE OF PROJECT (Industrial Wastes Only)

Recommendation and Action

Approve -- Issue by Region	Approve -- Issue by Central Office	Refuse	Signature	Date
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	REVIEWING HYDROGEOLOGIST	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	HYDROGEOLOGIST IN RESPONSIBLE CHARGE	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Marybeth Luffenberger</i> Marybeth Luffenberger REVIEWING ENGINEER	6.9.97
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	G. Roger Musselman, P.E. REGIONAL PERMITS SECTION CHIEF	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Leon M. Oberdick PROGRAM MANAGER <i>LOberdick</i>	6/12/97

Permit Conditions

1. Special -A through O.

TUS Data Request Set 1

Joint Application of The York Water Company - Wastewater and MESCO, Inc. for approval of the rights of: (1) to transfer certain public wastewater facilities from the Estate of Jane M. Alexander acting through its executors Lorinda Krause and Marstin Alexander and MESCO, Inc to The York Water Company - Wastewater; (2) the abandonment by MESCO, Inc. of wastewater service to the public in its service territory in Monaghan Township, York County Pennsylvania; and (3) The York Water Company - Wastewater to offer, render, furnish and supply wastewater service to the public in a portion of Monaghan Township, York County, Pennsylvania
Docket Nos. A-2023-3041009 & A-2023-3041010

A-2 Please provide a detailed breakdown, by major plant category, of the used and useful plant in service to be acquired. The breakdown should fully describe the asset and identify the size, type, material, unit quantity, and year of installation.

RESPONDENT:

Vaughn Wenger, Superintendent Wastewater Operations
The York Water Company

RESPONSE:

See answer to CONFIDENTIAL TUS Data Requests Set II, No. 1, which contains a copy of Schedule 2.1 of the Purchase Agreement setting forth the list of assets to be acquired.

TUS Data Request Set 1

Joint Application of The York Water Company - Wastewater and MESCO, Inc. for approval of the rights of: (1) to transfer certain public wastewater facilities from the Estate of Jane M. Alexander acting through its executors Lorinda Krause and Marstin Alexander and MESCO, Inc to The York Water Company - Wastewater; (2) the abandonment by MESCO, Inc. of wastewater service to the public in its service territory in Monaghan Township, York County Pennsylvania; and (3) The York Water Company - Wastewater to offer, render, furnish and supply wastewater service to the public in a portion of Monaghan Township, York County, Pennsylvania
Docket Nos. A-2023-3041009 & A-2023-3041010

A-3 If MESCO is required to complete and submit a Chapter 94 Municipal Wasteload Management Report (Chapter 94 Report) to DEP, please provide a copy of the most recent Chapter 94 Report submitted.

RESPONDENT:

Andrew Prosser, Senior Engineer Manager
The York Water Company

RESPONSE:

MESCO is not required to submit a Chapter 94 Municipal Wasteload Management Report, as it is a private corporate entity and not a municipality or local government.

TUS Data Request Set 1

Joint Application of The York Water Company - Wastewater and MESCO, Inc. for approval of the rights of: (1) to transfer certain public wastewater facilities from the Estate of Jane M. Alexander acting through its executors Lorinda Krause and Marstin Alexander and MESCO, Inc to The York Water Company - Wastewater; (2) the abandonment by MESCO, Inc. of wastewater service to the public in its service territory in Monaghan Township, York County Pennsylvania; and (3) The York Water Company - Wastewater to offer, render, furnish and supply wastewater service to the public in a portion of Monaghan Township, York County, Pennsylvania
Docket Nos. A-2023-3041009 & A-2023-3041010

A-4 Please provide a breakdown of the projected number of customers within the requested service territory, by year, for the next five years.

RESPONDENT:

Vaughn Wenger, Superintendent Wastewater Operations
The York Water Company

RESPONSE:

York Water's understanding is that the residential subdivision is built out. Therefore, the current number of customers (*i.e.*, approximately 180 residential wastewater customers) is projected to remain unchanged for the next five years.

TUS Data Request Set 1

Joint Application of The York Water Company - Wastewater and MESCO, Inc. for approval of the rights of: (1) to transfer certain public wastewater facilities from the Estate of Jane M. Alexander acting through its executors Lorinda Krause and Marstin Alexander and MESCO, Inc to The York Water Company - Wastewater; (2) the abandonment by MESCO, Inc. of wastewater service to the public in its service territory in Monaghan Township, York County Pennsylvania; and (3) The York Water Company - Wastewater to offer, render, furnish and supply wastewater service to the public in a portion of Monaghan Township, York County, Pennsylvania
Docket Nos. A-2023-3041009 & A-2023-3041010

A-5 In Section 10 of the Joint Application, York Water-WW indicated it expects to be able to meet projected capacity requirements through the year 2036. Please provide a detailed breakdown by year and estimated capacity demand for the present year to 2036.

RESPONDENT:

Andrew Prosser, Senior Engineer Manager
The York Water Company

RESPONSE:

As explained in response to Discovery A-4, York Water's understanding is that the residential subdivision is built out. Therefore, the estimated capacity demand, which is currently 20,800 GPD (conservative planning EDU value), is projected to remain unchanged through 2036. All served/connected units are single family homes, and their usage does not vary dramatically.

TUS Data Request Set 1

Joint Application of The York Water Company – Wastewater and MESCO, Inc. for approval of the rights of: (1) to transfer certain public wastewater facilities from the Estate of Jane M. Alexander acting through its executors Lorinda Krause and Marstin Alexander and MESCO, Inc to The York Water Company – Wastewater; (2) the abandonment by MESCO, Inc. of wastewater service to the public in its service territory in Monaghan Township, York County Pennsylvania; and (3) The York Water Company – Wastewater to offer, render, furnish and supply wastewater service to the public in a portion of Monaghan Township, York County, Pennsylvania
Docket Nos. A-2023-3041009 & A-2023-3041010

A-6 Information on file with the Commission at Docket No. A-230280 indicated that MESCO's certificated service territory contains 150 acres more or less. However, the metes and bounds description provided as Exhibit C of the Joint Application indicates that the requested service territory is approximately 104 acres. Please explain this discrepancy and, if necessary, provide a revised description of the requested territory by metes and bounds that matches the existing certificated service territory of MESCO.

RESPONDENT:

Andrew Prosser, Senior Engineer Manager
The York Water Company

RESPONSE:

The estimated acreage of 104 acres was determined using York Water's Geographic Information System ("GIS"). It is the more accurate estimation of the acreage of the existing certificated service territory.

According to the Sellers, approximately 30+ acres were sold off by the then owner in 2006. There is approximately 10.44 acres of woodland in the development held by the HOA, as per the land development planning approval, which shall remain undeveloped as per the planning approval.

Further, the 150 acres referenced at Docket No. A-230280 is outdated and unreliable. From reviewing the documents filed at Docket No. A-230280, York Water believes that the reference to 150 acres is from the Report and Order at Docket No. 97666 dated February 21, 1973, which was attached to MESCO's September 18, 1997 Application filed at Docket No. A-230280.

York Water maintains that its estimated acreage of 104 acres based on its GIS system is more accurate and reliable than an estimated acreage developed in the 1970's.

Lastly, through the Joint Application, York Water is requesting to expand its certificated service territory to include the existing certificated service territory of MESCO. York Water avers that its metes and bounds description matches the territory currently served by MESCO. Further, to the extent there is any difference, it is irrelevant because: (1) MESCO is completely abandoning its service territory; and (2) all points of interconnection with MESCO's are located in York Water's proposed certificated service territory.

TUS Data Request Set 1

Joint Application of The York Water Company – Wastewater and MESCO, Inc. for approval of the rights of: (1) to transfer certain public wastewater facilities from the Estate of Jane M. Alexander acting through its executors Lorinda Krause and Marstin Alexander and MESCO, Inc to The York Water Company – Wastewater; (2) the abandonment by MESCO, Inc. of wastewater service to the public in its service territory in Monaghan Township, York County Pennsylvania; and (3) The York Water Company – Wastewater to offer, render, furnish and supply wastewater service to the public in a portion of Monaghan Township, York County, Pennsylvania
Docket Nos. A-2023-3041009 & A-2023-3041010

A-7 Information on file with the Commission at Docket No. R-00050678 indicated that MESCO's certificated service territory encompasses portions of Monaghan and Carroll Townships. Additionally, the boundaries depicted on the map provided in the Joint Application as Exhibit B-1 appear to extend into Carroll Township. However, the Joint Application only addressed its service in Monaghan Township. Please explain this discrepancy, and if MESCO provides public wastewater service in a portion of Carroll Township or York Water–WW's requested territory extends into a portion of Carroll Township, provide all requisite amendments, notifications, and revisions of and to the Joint Application to facilitate this change.

RESPONDENT:

Andrew Prosser, Senior Engineer Manager
The York Water Company

RESPONSE:

York Water's understanding is that MESCO's certificated service territory does not extend into Carroll Township. York Water does not know what information at Docket No. R-00050678 is being referenced in the data request; however, Paragraph 1 of the Joint Petition for Settlement filed in that proceeding states that "Mesco is a public utility subject to the Commission's regulatory jurisdiction" and that "Mesco provides wastewater service in a portion of Monaghan Township, York County." Moreover, the pro forma tariff supplement attached to the Joint Petition for Settlement states that the tariff provides the rates, rules, and regulations for MESCO's service "IN A PORTION OF MONAGHAN TOWNSHIP YORK COUNTY, PENNSYLVANIA."

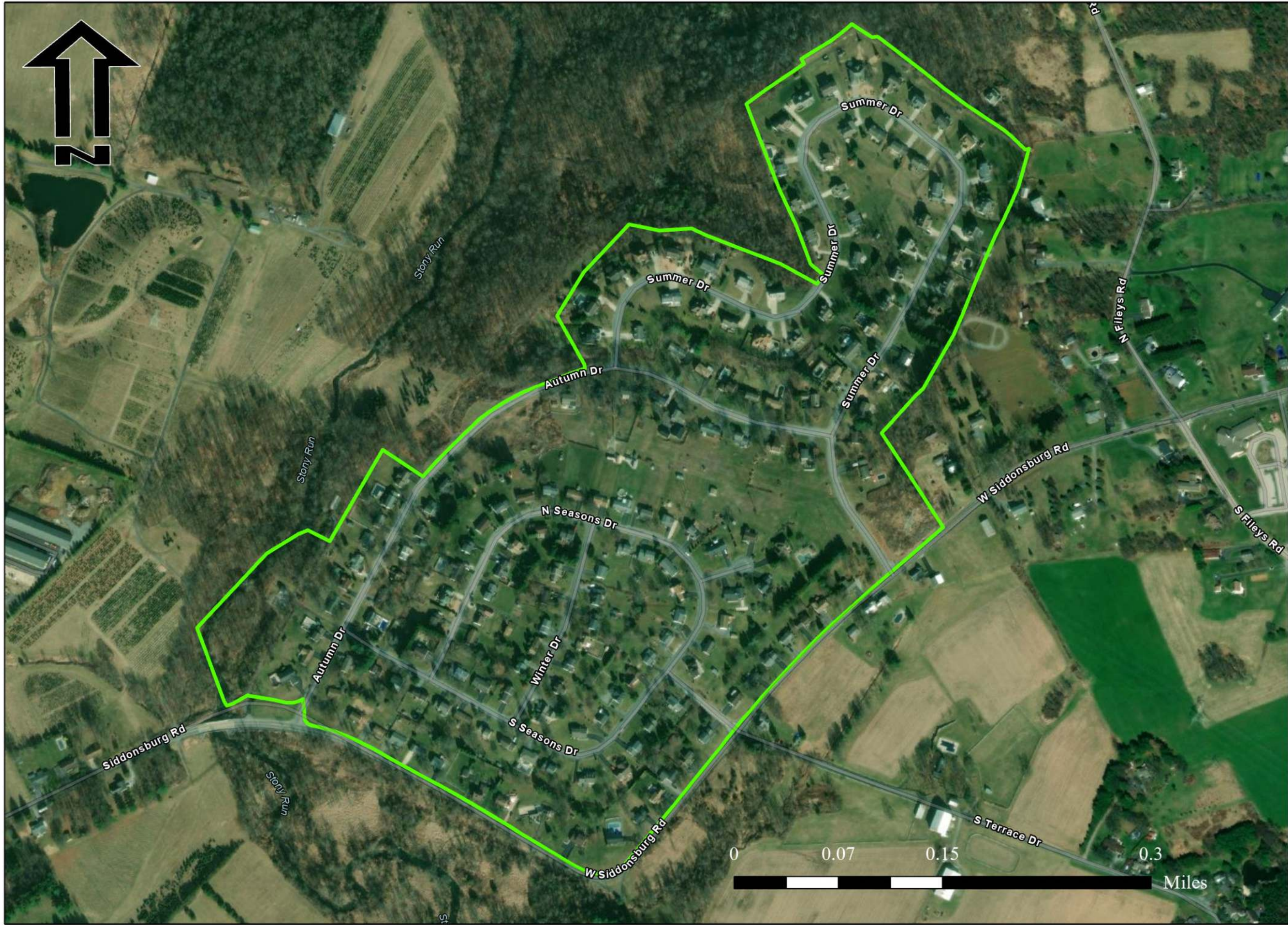

Furthermore, York Water has confirmed that all of MESCO's points of interconnection are located in Monaghan Township, *i.e.*, MESCO does not provide wastewater service in Carroll Township.

Also, York Water clarifies that its Exhibit B-1 was prepared based on the actual parcels in Memphord Estates that receive wastewater service from MESCO. Although portions of those parcels may be located in Carroll Township, all points of interconnection are in Monaghan Township.

Attached is Exhibit B-2, which demonstrates that no point of delivery to the customer(s) is located in Carroll Township. This map also provides a scale, includes a numbering scheme corresponding to the written description of the territory by metes and bounds, identifies the elevation of major facilities and service areas, includes a north arrow, and depicts municipal

boundaries. Also attached is an updated Exhibit C setting forth the metes and bounds for the requested service territory.

Exhibit B-2

The York Water Company
 130 E. Market St.
 York, Pa 17401
 (717) 845-3601

Title: MESCO Wastewater System

Scale: 1:4,000

Date: December 2nd, 2022

Drawn By: Jason Heitmann

Checked By: Andrew Prosser

Exhibit C

NOTE: THE METES AND BOUNDS DESCRIBED HEREIN ARE APPROXIMATE. THEREFORE, THIS DOCUMENT SHOULD NOT BE CONSIDERED A LEGAL DEED.

ENCOMPASSING approximately 104 acres of land located in York County, Pennsylvania, the Additional Memphord Estates Certificated Territory is described by metes and bounds as follows:

From the National Geodetic Survey Marker designated as KW2820 said Monument being located at NAD 83 (1986) Position: 40°05'24.70" (N), 77°01'31.94" (W), proceeding N 22°51'06" E, 18,086.07' to Point 1, and thence along the following segments:

Number	Direction	Distance (ft.)
1	N68°06'22.2"E	68.1
3	N1°28'03.5"E	1.5
4	N41°57'51.9"E	42
5	N63°55'28.6"E	63.9
6	N42°07'43.5"E	42.1
7	N28°14'59.8"E	28.2
8	N17°05'40.2"E	17.1
9	N22°27'56.0"E	22.5
10	N78°09'39.6"E	78.2
11	N10°47'23.7"E	10.8
12	N10°07'13.8"E	10.1
13	N9°03'22.3"E	9.1
14	N18°12'44.9"E	18.2
15	N25°19'23.8"E	25.3
16	N39°46'55.1"E	39.8
17	N14°58'55.0"E	15
18	N15°39'58.3"E	15.7
19	N35°13'03.7"E	35.2
20	N41°11'20.5"E	41.2
21	N8°20'23.3"E	8.3
22	N47°10'50.3"E	47.2
23	N37°46'30.6"E	37.8
24	N36°59'07.7"E	37
25	N56°37'29.2"E	56.6
26	N21°22'58.7"E	21.4
27	N11°12'06.6"E	11.2
28	N13°54'53.6"E	13.9
29	N15°12'34.1"E	15.2
30	N23°02'16.6"E	23
31	N24°53'11.8"E	24.9
32	N9°10'08.2"E	9.2
33	N14°38'11.0"E	14.6
34	N7°59'24.9"E	8

35	N11°08'49.1"E	11.1
36	N12°37'43.9"E	12.6
37	N9°57'34.6"E	10
38	N15°50'03.0"E	15.8
39	N22°51'06.5"E	22.9
40	N7°57'47.0"E	8
41	N13°23'09.6"E	13.4
42	N24°26'26.0"E	24.4
43	N19°30'11.8"E	19.5
44	N36°13'40.8"E	36.2
45	N29°29'29.5"E	29.5
46	N27°35'33.4"E	27.6
47	N47°18'38.4"E	47.3
48	N41°24'32.3"E	41.4
49	N77°37'06.0"E	77.6
50	N75°19'27.2"E	75.3
51	S66°09'28.2"E	113.8
52	N22°06'39.3"E	22.1
53	N49°57'30.5"E	50
54	N17°00'56.4"E	17
55	N17°00'54.1"E	17
56	N17°00'54.9"E	17
57	N17°00'55.1"E	17
58	N6°34'32.8"E	6.6
59	N10°26'19.4"E	10.4
60	N17°00'54.8"E	17
61	N17°00'54.3"E	17
62	N17°00'58.0"E	17
63	N17°00'52.3"E	17
64	N17°00'57.9"E	17
65	N32°38'00.0"E	32.6
66	N30°21'20.2"E	30.4
67	N37°37'02.1"E	37.6
68	N37°55'25.0"E	37.9
69	S76°06'47.2"E	103.9
70	N57°24'11.1"E	57.4
71	N35°00'19.7"E	35
72	S82°54'50.3"E	97.1
73	S81°52'27.9"E	98.1
74	N46°38'37.8"E	46.6
75	N40°17'05.9"E	40.3
76	S81°50'39.4"E	98.2
77	N31°05'50.0"E	31.1

78	N12°49'44.4"E	12.8
79	N14°06'47.4"E	14.1
80	N10°26'57.9"E	10.4
81	N3°05'18.1"E	3.1
82	N3°39'57.9"E	3.7
83	N3°19'06.0"E	3.3
84	N3°00'10.8"E	3
85	N1°33'29.5"E	1.6
86	N2°02'56.8"E	2
87	N2°12'00.1"E	2.2
88	N3°16'40.8"E	3.3
89	N3°07'20.8"E	3.1
90	N2°26'00.5"E	2.4
91	N2°50'25.7"E	2.8
92	N2°53'03.6"E	2.9
93	N1°30'53.3"E	1.5
94	N3°13'52.1"E	3.2
95	N2°16'59.6"E	2.3
96	N0°59'39.8"E	1
97	N1°18'10.9"E	1.3
98	N1°46'41.3"E	1.8
99	N0°51'29.0"E	0.9
100	N1°17'39.1"E	1.3
101	N1°10'11.8"E	1.2
102	N1°42'33.0"E	1.7
103	N2°10'58.4"E	2.2
104	N2°24'34.4"E	2.4
105	N0°58'16.2"E	1
106	N1°14'44.3"E	1.2
107	N1°34'43.2"E	1.6
108	N0°54'22.9"E	0.9
109	N0°40'30.3"E	0.7
110	N0°26'55.1"E	0.4
111	N0°23'23.6"E	0.4
112	N0°19'29.6"E	0.3
113	N0°40'24.4"E	0.7
114	N0°48'38.5"E	0.8
115	N0°43'58.4"E	0.7
116	N0°50'32.2"E	0.8
117	N0°37'22.2"E	0.6
118	N0°35'47.7"E	0.6
119	N0°39'56.8"E	0.7
120	N0°48'11.7"E	0.8

121	N0°33'40.6"E	0.6
122	N0°49'12.0"E	0.8
123	N0°54'24.6"E	0.9
124	N4°33'05.7"E	4.6
125	N5°07'28.1"E	5.1
126	N4°53'12.0"E	4.9
127	N4°49'48.1"E	4.8
128	N5°40'34.5"E	5.7
129	N4°42'51.7"E	4.7
130	N11°55'21.3"E	11.9
131	N6°33'42.1"E	6.6
132	N8°04'17.0"E	8.1
133	N14°26'47.0"E	14.4
134	N13°15'34.2"E	13.3
135	N17°38'08.0"E	17.6
136	N17°11'18.1"E	17.2
137	N23°24'57.5"E	23.4
138	N7°28'31.1"E	7.5
139	N14°14'03.1"E	14.2
140	N30°57'15.9"E	31
141	N44°22'11.2"E	44.4
142	N20°41'10.5"E	20.7
143	N25°53'07.4"E	25.9
144	N24°42'28.6"E	24.7
145	N17°44'03.6"E	17.7
146	N18°12'26.1"E	18.2
147	N25°48'39.9"E	25.8
148	N29°18'35.3"E	29.3
149	N26°16'45.8"E	26.3
150	N38°03'25.2"E	38.1
151	N27°47'44.2"E	27.8
152	N29°52'55.7"E	29.9
153	N24°19'29.7"E	24.3
154	N59°05'58.6"E	59.1
155	S67°26'36.1"E	112.6
156	N88°19'34.8"E	88.3
157	S74°10'29.7"E	105.8
158	S63°02'36.7"W	243
159	S4°04'28.0"W	184.1
160	S15°44'32.8"W	195.7
161	N35°48'57.1"E	35.8
162	S49°26'29.4"E	130.6
163	N46°50'12.9"E	46.8

164	N35°35'51.5"E	35.6
165	N22°20'00.7"E	22.3
166	N19°05'47.1"E	19.1
167	N41°14'53.4"E	41.2
168	N26°08'47.9"E	26.1
169	N15°14'43.6"E	15.2
170	N58°09'53.7"E	58.2
171	N41°37'07.1"E	41.6
172	N18°13'45.7"E	18.2
173	S81°06'15.5"E	98.9
174	N15°53'24.8"E	15.9
175	N81°01'19.1"E	81
176	N26°23'52.3"E	26.4
177	N22°37'58.1"E	22.6
178	N79°44'19.7"E	79.7
179	N68°01'46.4"E	68
180	N18°23'24.9"E	18.4
181	N42°44'49.3"E	42.7
182	N33°22'15.1"E	33.4
183	N57°06'17.9"E	57.1
184	N14°46'32.3"E	14.8
185	N66°13'53.7"E	66.2
186	N42°50'15.0"E	42.8
187	N84°36'48.5"E	84.6
188	N34°31'03.2"E	34.5
189	N51°26'22.0"E	51.4
190	N59°54'26.8"E	59.9
191	N52°22'04.8"E	52.4
192	N52°16'49.1"E	52.3
193	N37°43'06.8"E	37.7
194	N13°05'14.2"E	13.1
195	S83°06'06.7"E	96.9
196	S87°36'05.4"E	92.4
197	N23°18'27.6"E	23.3
198	N20°39'35.6"E	20.7
199	S87°49'38.6"E	92.2
200	N52°59'31.2"E	53
201	N44°48'48.2"E	44.8
202	N7°47'00.5"E	7.8
203	N67°54'41.7"E	67.9
204	N59°57'06.9"E	60
205	N21°40'13.8"E	21.7
206	S7°10'23.5"E	172.8

207	S86°06'45.1"E	93.9
208	S83°01'43.6"E	97
209	S66°17'54.0"W	246.3
210	S23°34'50.9"E	156.4
211	S24°02'32.7"E	156
212	N65°33'38.2"E	65.6
213	N41°41'40.7"E	41.7
214	S22°36'09.6"E	157.4
215	S18°28'01.1"E	161.5
216	S38°35'16.6"E	141.4
217	N60°52'38.4"E	60.9
218	S56°59'45.3"E	123
219	S62°37'47.3"E	117.4
220	S71°00'29.7"W	251
221	S13°38'42.1"W	193.6
222	S31°10'50.3"W	211.2
223	N16°24'06.0"E	16.4
224	N12°11'43.3"E	12.2
225	N47°44'07.8"E	47.7
226	N9°15'56.0"E	9.3
227	N30°22'23.8"E	30.4
228	N56°31'25.9"E	56.5
229	N46°28'02.5"E	46.5
230	N53°21'53.4"E	53.4
231	N62°07'29.9"E	62.1
232	N38°48'34.3"E	38.8
233	N45°19'17.1"E	45.3
234	N42°04'04.0"E	42.1
235	N70°19'45.0"E	70.3
236	N44°50'06.4"E	44.8
237	N35°30'25.4"E	35.5
238	N36°36'16.3"E	36.6
239	N29°19'13.7"E	29.3
240	N34°01'11.3"E	34
241	N28°05'07.0"E	28.1
242	N30°21'41.0"E	30.4
243	S3°45'15.4"W	183.8
244	S72°03'46.9"E	107.9
245	N85°05'29.0"E	85.1
246	S84°34'44.6"E	95.4
247	S67°26'38.6"E	112.6
248	S86°41'32.3"E	93.3
249	N39°33'06.1"E	39.6

250	S39°16'00.8"E	140.7
251	N26°47'30.3"E	386.8
252	S40°29'24.7"E	139.5
253	N79°44'51.0"E	79.7
254	N76°21'49.4"E	76.4
255	N21°30'32.5"E	21.5
256	N21°38'37.4"E	21.6

To Point 1, the point and place of beginning.

TUS Data Request Set 1

Joint Application of The York Water Company – Wastewater and MESCO, Inc. for approval of the rights of: (1) to transfer certain public wastewater facilities from the Estate of Jane M. Alexander acting through its executors Lorinda Krause and Marstin Alexander and MESCO, Inc to The York Water Company – Wastewater; (2) the abandonment by MESCO, Inc. of wastewater service to the public in its service territory in Monaghan Township, York County Pennsylvania; and (3) The York Water Company – Wastewater to offer, render, furnish and supply wastewater service to the public in a portion of Monaghan Township, York County, Pennsylvania
Docket Nos. A-2023-3041009 & A-2023-3041010

A-8 The map provided in the Joint Application as Exhibit B-1 does not include a scale; does not identify the elevations of major facilities and service areas; and shows no correspondence to the metes and bounds description provided in the Joint Application as Exhibit C, by omitting a corresponding numbering scheme, a north arrow, and a depiction of municipal boundaries. Please provide a revised map of the requested service territory that includes a scale, includes a numbering scheme corresponding to the written description of the territory by metes and bounds, identifies the elevation of major facilities and service areas, includes a north arrow and depicts municipal boundaries.

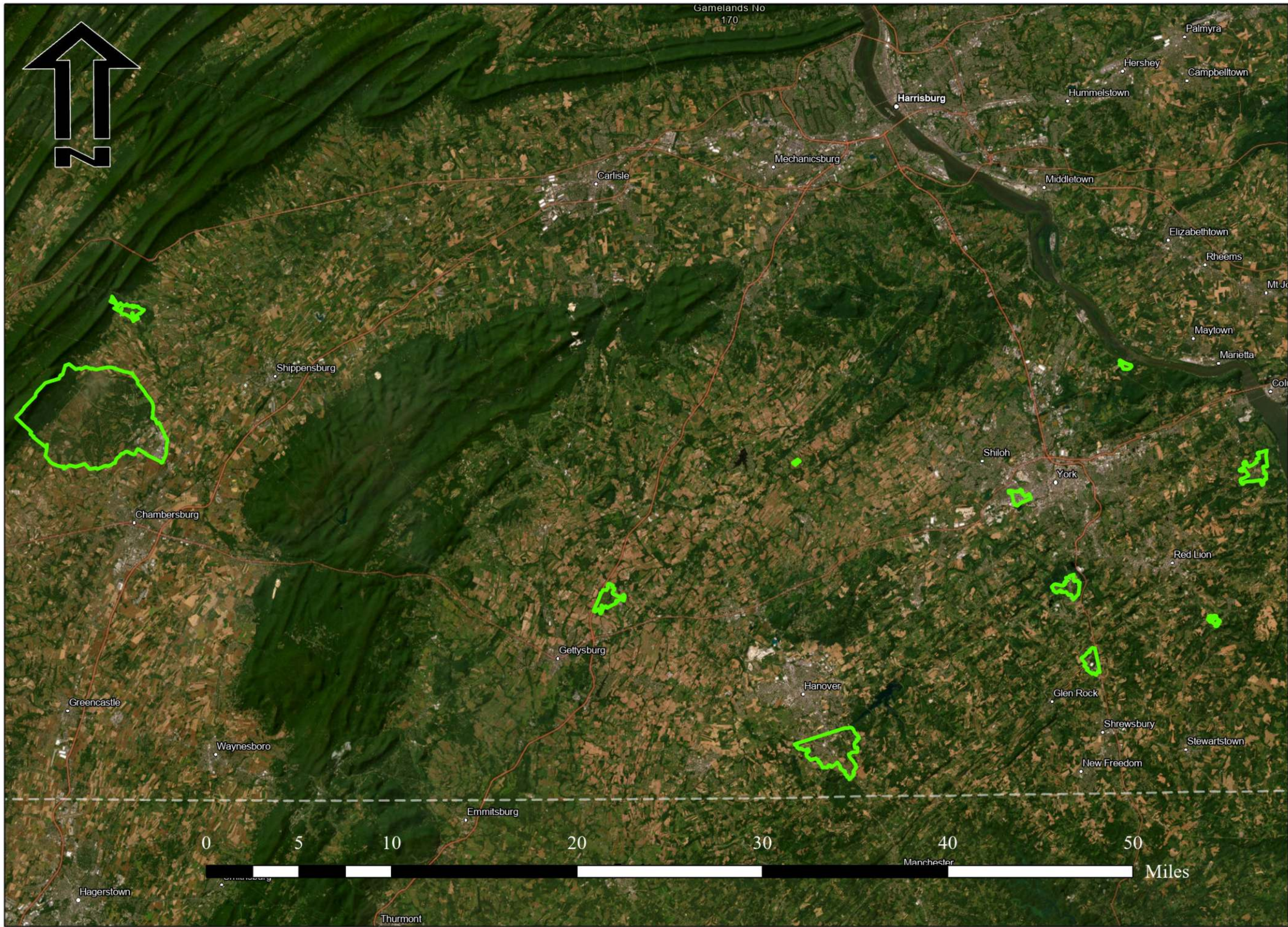
RESPONDENT:

Andrew Prosser, Senior Engineer Manager
The York Water Company

RESPONSE:

An inadvertent error occurred when compiling the PDF of the Joint Application for filing purposes, which resulted in the maps shown in Exhibits B and B-1 being condensed to the point where the scale and north arrow were not visible. Attached are the full-size Exhibits B and B-1. Further, see response to Discovery A-7 for copies of Exhibit B-2 and the updated Exhibit C. York Water and MESCO have not shot elevations of the “major facilities.” York Water does not believe that is necessary either because this system has been regulated by the PUC and PA DEP since it was constructed. As-builts are probably on file at PA DEP, which permits this facility.

Exhibit B




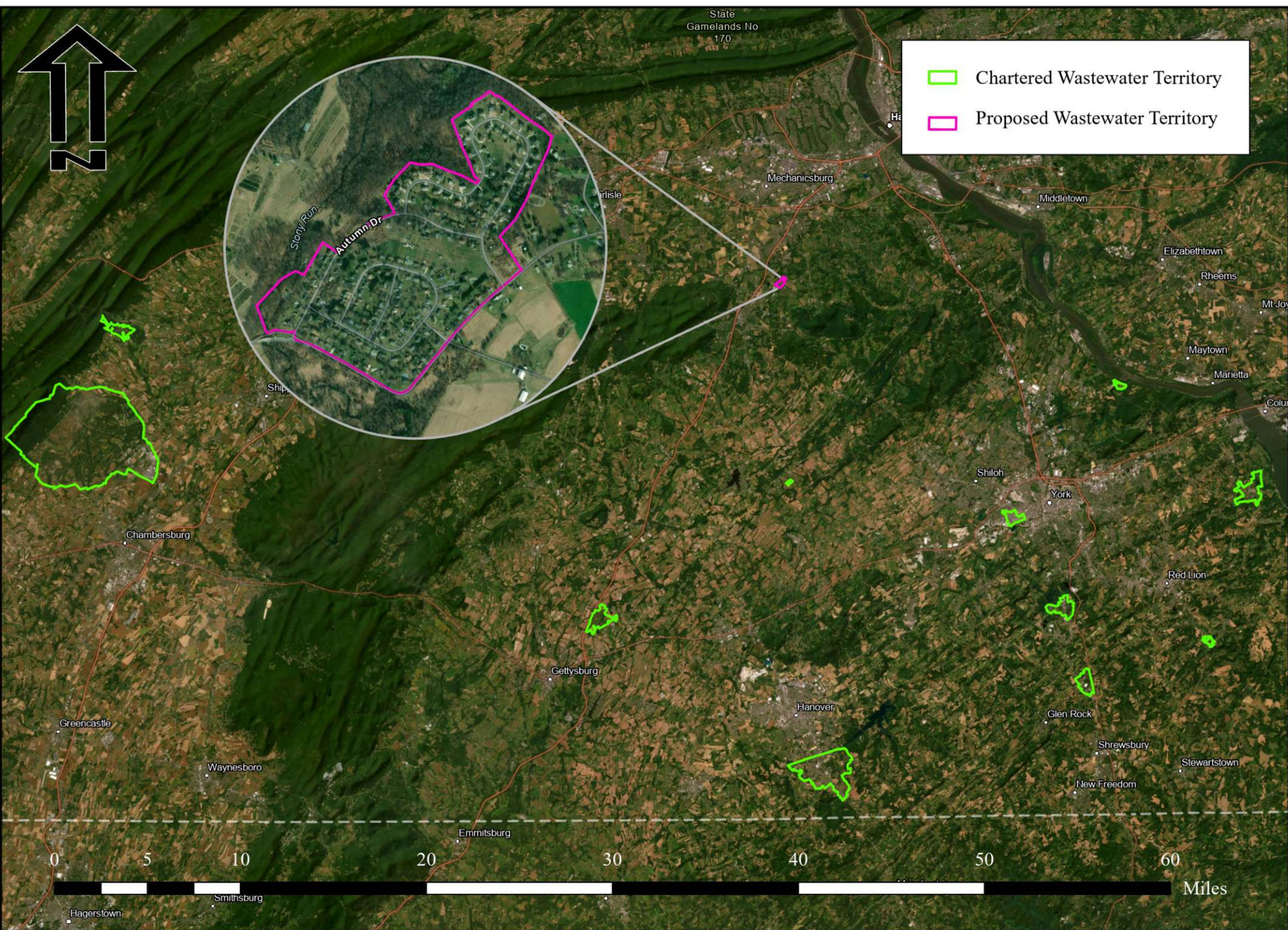



 <p>The York Water Company 130 E. Market St. York, Pa 17401 (717) 845-3601</p>	Title: Existing Wastewater Territory	
	Scale: 1:300,000	Drawn By: Jason Heitmann
	Date: December 2nd, 2022	Checked By: Andrew Prosser

Exhibit B-1



	Chartered Wastewater Territory
	Proposed Wastewater Territory

 <p>The York Water Company 130 E. Market St. York, Pa 17401 (717) 845-3601</p>	Title: Proposed Expansion and Existing Wastewater Territory
	Scale: 1:300,000
	Date: November 30th, 2022
	Drawn By: Jason Heitmann
	Checked By: Andrew Prosser

TUS Data Request Set 1

Joint Application of The York Water Company - Wastewater and MESCO, Inc. for approval of the rights of: (1) to transfer certain public wastewater facilities from the Estate of Jane M. Alexander acting through its executors Lorinda Krause and Marstin Alexander and MESCO, Inc to The York Water Company - Wastewater; (2) the abandonment by MESCO, Inc. of wastewater service to the public in its service territory in Monaghan Township, York County Pennsylvania; and (3) The York Water Company - Wastewater to offer, render, furnish and supply wastewater service to the public in a portion of Monaghan Township, York County, Pennsylvania
Docket Nos. A-2023-3041009 & A-2023-3041010

A-9 Please provide copies of MESCO's two most recent federal income tax returns. If the tax returns reflect an operating loss, describe in detail how the operating losses are subsidized, supported by an analysis of the future viability of the utility under York Water-WW ownership.

RESPONDENT:

Suzanne H. Griest
Counsel for Seller Estate and Executors

Matthew Poff, Chief Financial Officer
The York Water Company

RESPONSE:

See the attached federal income tax returns. The 2022 return shows a net operating loss of \$7,148. The 2021 tax return does not show a net operating loss.

York Water does not project to incur the same amount of expenses as MESCO in operating these wastewater assets, as the Company can negotiate improved materials and services costs as a larger entity, can utilize operators who are already on staff at York Water, and gain general economies of scale in its operations. York Water also is a larger and more experienced wastewater system operator and will be more efficient and effective in running the system. Indeed, attached is an updated Exhibit L, which shows that based on the Company's latest cost of service study performed in its 2023 base rate case, York Water projects annual operating expenses of \$57,330. Therefore, as shown in Exhibit L, York Water projects an operating income of approximately \$38,142 (*i.e.*, projected annual revenue of \$95,472 minus the projected annual operating expenses of \$57,330). Thus, the MESCO wastewater system is not projected to operate at a loss under York Water's ownership.

Attachment A-I-9

A Check if: 1a Consolidated return (attach Form 851) <input type="checkbox"/> b Life/nonlife consolidated return <input type="checkbox"/> 2 Personal holding co. (attach Sch. PH) <input type="checkbox"/> 3 Personal service corp. (see instructions) <input type="checkbox"/> 4 Schedule M-3 attached <input type="checkbox"/>	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:10%;">Name</td> <td>MESCO INC</td> </tr> <tr> <td>TYPE OR PRINT</td> <td>Number, street, and room or suite no. If a P.O. box, see instructions.</td> </tr> <tr> <td></td> <td>18 RED HAVEN DRIVE</td> </tr> <tr> <td></td> <td>City or town, state or province, country and ZIP or foreign postal code</td> </tr> <tr> <td></td> <td>Selinsgrove PA 17870</td> </tr> </table>	Name	MESCO INC	TYPE OR PRINT	Number, street, and room or suite no. If a P.O. box, see instructions.		18 RED HAVEN DRIVE		City or town, state or province, country and ZIP or foreign postal code		Selinsgrove PA 17870	B Employer identification number 23-1885209 C Date incorporated 10-18-1972 D Total assets (see instructions) \$ 129,564
Name	MESCO INC											
TYPE OR PRINT	Number, street, and room or suite no. If a P.O. box, see instructions.											
	18 RED HAVEN DRIVE											
	City or town, state or province, country and ZIP or foreign postal code											
	Selinsgrove PA 17870											
E Check if: (1) <input type="checkbox"/> Initial return (2) <input type="checkbox"/> Final return (3) <input type="checkbox"/> Name change (4) <input type="checkbox"/> Address change												

Income	1a	Gross receipts or sales	1a	94,256	
	b	Returns and allowances	1b		
	c	Balance. Subtract line 1b from line 1a	1c		94,256
	2	Cost of goods sold (attach Form 1125-A)	2		
	3	Gross profit. Subtract line 2 from line 1c	3		94,256
	4	Dividends and inclusions (Schedule C, line 23)	4		
	5	Interest	5		
	6	Gross rents	6		
	7	Gross royalties	7		
	8	Capital gain net income (attach Schedule D (Form 1120))	8		
	9	Net gain or (loss) from Form 4797, Part II, line 17 (attach Form 4797)	9		
10	Other income (see instructions - attach statement)	10			
11	Total income. Add lines 3 through 10	11		94,256	
Deductions (See instructions for limitations on deductions.)	12	Compensation of officers (see instructions - attach Form 1125-E)	12		
	13	Salaries and wages (less employment credits)	13		
	14	Repairs and maintenance	14		867
	15	Bad debts	15		
	16	Rents	16		
	17	Taxes and licenses	17	Wks. Tax/Lic	1,587
	18	Interest (see instructions)	18		
	19	Charitable contributions	19		
	20	Depreciation from Form 4562 not claimed on Form 1125-A or elsewhere on return (attach Form 4562)	20		1,853
	21	Depletion	21		
	22	Advertising	22		
	23	Pension, profit-sharing, etc., plans	23		
	24	Employee benefit programs	24		
	25	Reserved for future use	25		
	26	Other deductions (attach statement)	26	Statement #5	97,097
	27	Total deductions. Add lines 12 through 26	27		101,404
	28	Taxable income before net operating loss deduction and special deductions. Subtract line 27 from line 11	28		(7,148)
29a	Net operating loss deduction (see instructions)	29a			
b	Special deductions (Schedule C, line 24)	29b			
c	Add lines 29a and 29b	29c			
Tax, Refundable Credits, & Payments	30	Taxable income. Subtract line 29c from line 28. See instructions	30		(7,148)
	31	Total tax (Schedule J, Part I, line 11)	31		0
	32	Reserved for future use	32		
	33	Total payments and credits (Schedule J, Part III, line 23)	33		3,578
	34	Estimated tax penalty. See instructions. Check if Form 2220 is attached <input type="checkbox"/>	34		
	35	Amount owed. If line 33 is smaller than the total of lines 31 and 34, enter amount owed	35		
	36	Overpayment. If line 33 is larger than the total of lines 31 and 34, enter amount overpaid	36		3,578
37	Enter amount from line 36 you want: Credited to 2023 estimated tax Refunded	37		3,578	

Sign Here

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than taxpayer) is based on all information of which preparer has any knowledge.

MARSTIN L ALEXANDER

EXECUTOR

Signature of officer

Date

Title

May the IRS discuss this return with the preparer shown below? See instructions.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
---	---

Paid Preparer Use Only

Print/Type preparer's name SAMUEL D THUMA	Preparer's signature	Date 02-16-2023	Check <input checked="" type="checkbox"/> if self-employed	PTIN P01341030
Firm's name SAMUEL D THUMA CPA			Firm's EIN 23-2078737	
Firm's address PO BOX 366 Dillsburg PA 17019			Phone no. (717) 432-9752	

Schedule C Dividends, Inclusions, and Special Deductions (see instructions)		(a) Dividends and inclusions	(b) %	(c) Special deductions (a) x (b)
1	Dividends from less-than-20%-owned domestic corporations (other than debt-financed stock)		50	
2	Dividends from 20%-or-more-owned domestic corporations (other than debt-financed stock)		65	
3	Dividends on certain debt-financed stock of domestic and foreign corporations		See instructions	
4	Dividends on certain preferred stock of less-than-20%-owned public utilities		23.3	
5	Dividends on certain preferred stock of 20%-or-more-owned public utilities		26.7	
6	Dividends from less-than-20%-owned foreign corporations and certain FSCs		50	
7	Dividends from 20%-or-more-owned foreign corporations and certain FSCs		65	
8	Dividends from wholly owned foreign subsidiaries		100	
9	Subtotal. Add lines 1 through 8. See instructions for limitations		See instructions	
10	Dividends from domestic corporations received by a small business investment company operating under the Small Business Investment Act of 1958		100	
11	Dividends from affiliated group members		100	
12	Dividends from certain FSCs		100	
13	Foreign-source portion of dividends received from a specified 10%-owned foreign corporation (excluding hybrid dividends) (see instructions)		100	
14	Dividends from foreign corporations not included on line 3, 6, 7, 8, 11, 12, or 13 (including any hybrid dividends)			
15	Reserved for future use			
16a	Subpart F inclusions derived from the sale by a controlled foreign corporation (CFC) of the stock of a lower-tier foreign corporation treated as a dividend (attach Form(s) 5471) (see instructions)		100	
b	Subpart F inclusions derived from hybrid dividends of tiered corporations (attach Form(s) 5471) (see instructions)			
c	Other inclusions from CFCs under subpart F not included on line 16a, 16b, or 17 (attach Form(s) 5471) (see instructions)			
17	Global Intangible Low-Taxed Income (GILTI) (attach Form(s) 5471 and Form 8992)			
18	Gross-up for foreign taxes deemed paid			
19	IC-DISC and former DISC dividends not included on line 1, 2, or 3			
20	Other dividends			
21	Deduction for dividends paid on certain preferred stock of public utilities			
22	Section 250 deduction (attach Form 8993)			
23	Total dividends and inclusions. Add column (a), lines 9 through 20. Enter here and on page 1, line 4			
24	Total special deductions. Add column (c), lines 9 through 22. Enter here and on page 1, line 29b			

Schedule J Tax Computation and Payment (see instructions)

Part I - Tax Computation

1	Check if the corporation is a member of a controlled group (attach Schedule O (Form 1120)). See instructions	<input type="checkbox"/>	
2	Income tax. See instructions		0
3	Base erosion minimum tax amount (attach Form 8991)		
4	Add lines 2 and 3		0
5a	Foreign tax credit (attach Form 1118)	5a	0
b	Credit from Form 8834 (see instructions)	5b	
c	General business credit (attach Form 3800)	5c	
d	Credit for prior year minimum tax (attach Form 8827)	5d	
e	Bond credits from Form 8912	5e	
6	Total credits. Add lines 5a through 5e	6	
7	Subtract line 6 from line 4	7	0
8	Personal holding company tax (attach Schedule PH (Form 1120))	8	0
9a	Recapture of investment credit (attach Form 4255)	9a	
b	Recapture of low-income housing credit (attach Form 8611)	9b	
c	Interest due under the look-back method - completed long-term contracts (attach Form 8697)	9c	
d	Interest due under the look-back method - income forecast method (attach Form 8866)	9d	
e	Alternative tax on qualifying shipping activities (attach Form 8902)	9e	
f	Interest/tax due under Section 453A(c) and/or Section 453(l)	9f	
g	Other (see instructions - attach statement)	9g	
10	Total. Add lines 9a through 9g	10	
11	Total tax. Add lines 7, 8, and 10. Enter here and on page 1, line 31	11	0

Part II - Reserved For Future Use

12	Reserved for future use	12	
----	-------------------------	----	--

Part III - Payments and Refundable Credits

13	2021 overpayment credited to 2022	13	3,577
14	2022 estimated tax payments	14	1
15	2022 refund applied for on Form 4466	15	()
16	Combine lines 13, 14, and 15	16	3,578
17	Tax deposited with Form 7004	17	
18	Withholding (see instructions)	18	
19	Total payments. Add lines 16, 17, and 18	19	3,578
20	Refundable credits from:		
a	Form 2439	20a	
b	Form 4136	20b	
c	Reserved for future use	20c	
d	Other (attach statement - see instructions)	20d	
21	Total credits. Add lines 20a through 20d	21	
22	Reserved for future use	22	
23	Total payments and credits. Add lines 19 and 21. Enter here and on page 1, line 33	23	3,578

Schedule K Other Information (continued from page 4)

	Yes	No
13 Are the corporation's total receipts (page 1, line 1a, plus lines 4 through 10) for the tax year and its total assets at the end of the tax year less than \$250,000?	<input checked="" type="checkbox"/>	
If "Yes," the corporation is not required to complete Schedules L, M-1, and M-2. Instead, enter the total amount of cash distributions and the book value of property distributions (other than cash) made during the tax year . . . \$ _____		
14 Is the corporation required to file Schedule UTP (Form 1120), Uncertain Tax Position Statement? See instructions		<input checked="" type="checkbox"/>
If "Yes," complete and attach Schedule UTP.		
15a Did the corporation make any payments in 2022 that would require it to file Form(s) 1099?	<input checked="" type="checkbox"/>	
b If "Yes," did or will the corporation file required Form(s) 1099?	<input checked="" type="checkbox"/>	
16 During this tax year, did the corporation have an 80%-or-more change in ownership, including a change due to redemption of its own stock?		<input checked="" type="checkbox"/>
17 During or subsequent to this tax year, but before the filing of this return, did the corporation dispose of more than 65% (by value) of its assets in a taxable, non-taxable, or tax deferred transaction?		<input checked="" type="checkbox"/>
18 Did the corporation receive assets in a section 351 transfer in which any of the transferred assets had a fair market basis or fair market value of more than \$1 million?		<input checked="" type="checkbox"/>
19 During the corporation's tax year, did the corporation make any payments that would require it to file Forms 1042 and 1042-S under chapter 3 (sections 1441 through 1464) or chapter 4 (sections 1471 through 1474) of the Code?		<input checked="" type="checkbox"/>
20 Is the corporation operating on a cooperative basis?		<input checked="" type="checkbox"/>
21 During the tax year, did the corporation pay or accrue any interest or royalty for which the deducton is not allowed under section 267A? See instructions		<input checked="" type="checkbox"/>
If "Yes," enter the total amount of the disallowed deductions \$ _____		
22 Does the corporation have gross receipts of at least \$500 million in any of the 3 preceding tax years? (See sections 59A(e)(2) and (3))		<input checked="" type="checkbox"/>
If "Yes," complete and attach Form 8991.		
23 Did the corporation have an election under section 163(j) for any real property trade or business or any farming business in effect during the tax year? See instructions		<input checked="" type="checkbox"/>
24 Does the corporation satisfy one or more of the following? See instructions		<input checked="" type="checkbox"/>
a The corporation owns a pass-through entity with current, or prior year carryover, excess business interest expense.		
b The corporation's aggregate average annual gross receipts (determined under section 448(c)) for the 3 tax years preceding the current tax year are more than \$27 million and the corporation has business interest expense.		
c The corporation is a tax shelter and the corporation has business interest expense.		
If "Yes," complete and attach Form 8990.		
25 Is the corporation attaching Form 8996 to certify as a Qualified Opportunity Fund?		<input checked="" type="checkbox"/>
If "Yes," enter amount from Form 8996, line 15 \$ <u>0</u>		
26 Since December 22, 2017, did a foreign corporation directly or indirectly acquire substantially all of the properties held directly or indirectly by the corporation, and was the ownership percentage (by vote or value) for purposes of section 7874 greater than 50% (for example, the shareholders held more than 50% of the stock of the foreign corporation)? If "Yes," list the ownership percentage by vote and by value. See instructions		<input checked="" type="checkbox"/>
Percentage: By Vote By Value		

Schedule L Balance Sheets per Books		Beginning of tax year		End of tax year	
		(a)	(b)	(c)	(d)
Assets					
1	Cash		8,448		318
2a	Trade notes and accounts receivable	74,506		71,602	
b	Less allowance for bad debts	()	74,506	()	71,602
3	Inventories				
4	U.S. government obligations				
5	Tax-exempt securities (see instructions)				
6	Other current assets (attach statement)	Statement #8	3,577		3,578
7	Loans to shareholders				
8	Mortgage and real estate loans				
9	Other investments (attach statement)				
10a	Buildings and other depreciable assets	401,731		401,732	
b	Less accumulated depreciation	(361,813)	39,918	(363,666)	38,066
11a	Depletable assets				
b	Less accumulated depletion	()		()	
12	Land (net of any amortization)		16,000		16,000
13a	Intangible assets (amortizable only)	555		555	
b	Less accumulated amortization	(555)		(555)	
14	Other assets (attach statement)				
15	Total assets		142,449		129,564
Liabilities and Shareholders' Equity					
16	Accounts payable		8,000		2,707
17	Mortgages, notes, bonds payable in less than 1 year				
18	Other current liabilities (attach statement)				
19	Loans from shareholders		79,192		79,193
20	Mortgages, notes, bonds payable in 1 year or more				
21	Other liabilities (attach statement)	Statement #12	445		
22	Capital stock: a Preferred stock				
	b Common stock	12,700	12,700	12,700	12,700
23	Additional paid-in capital				
24	Retained earnings-Appropriated (attach statement)				
25	Retained earnings-Unappropriated		44,890		37,742
26	Adjustments to shareholders' equity (attach statement)				
27	Less cost of treasury stock		(2,778)		(2,778)
28	Total liabilities and shareholders' equity		142,449		129,564

Schedule M-1 Reconciliation of Income (Loss) per Books With Income per Return

Note: The corporation may be required to file Schedule M-3. See instructions.

1	Net income (loss) per books	(7,148)	7	Income recorded on books this year not included on this return (itemize): Tax-exempt interest \$ _____	
2	Federal income tax per books		8	Deductions on this return not charged against book income this year (itemize): a Depreciation \$ _____ b Charitable contributions \$ _____	
3	Excess of capital losses over capital gains		9	Add lines 7 and 8	
4	Income subject to tax not recorded on books this year (itemize): _____		10	Income (page 1, line 28)-line 6 less line 9	(7,148)
5	Expenses recorded on books this year not deducted on this return (itemize): a Depreciation \$ _____ b Charitable contributions \$ _____ c Travel and entertainment \$ _____				
6	Add lines 1 through 5	(7,148)			

Schedule M-2 Analysis of Unappropriated Retained Earnings per Books (Schedule L, Line 25)

1	Balance at beginning of year	44,890	5	Distributions: a Cash	
2	Net income (loss) per books	(7,148)		b Stock	
3	Other increases (itemize): _____			c Property	
			6	Other decreases (itemize): _____	
			7	Add lines 5 and 6	
4	Add lines 1, 2, and 3	37,742	8	Balance at end of year (line 4 less line 7)	37,742

Depreciation and Amortization (Including Information on Listed Property)

Department of the Treasury Internal Revenue Service

Attach to your tax return.

Attachment Sequence No. 179

Go to www.irs.gov/Form4562 for instructions and the latest information.

Table with 3 columns: Name(s) shown on return (MESCO INC), Business or activity to which this form relates (FORM 1120), and Identifying number (23-1885209).

Part I Election To Expense Certain Property Under Section 179

Note: If you have any listed property, complete Part V before you complete Part I.

Table with 13 rows for Section 179 election, including columns for description, cost, and elected cost. Total elected cost is 1,853.

Note: Don't use Part II or Part III below for listed property. Instead, use Part V.

Part II Special Depreciation Allowance and Other Depreciation (Don't include listed property. See instructions.)

Table with 3 rows for Special Depreciation Allowance and Other Depreciation. Total amount is 1,853.

Part III MACRS Depreciation (Don't include listed property. See instructions.)

Section A

Table with 2 rows for MACRS deductions for assets placed in service in tax years beginning before 2022.

Section B - Assets Placed in Service During 2022 Tax Year Using the General Depreciation System

Table with 7 columns: Classification of property, Month and year placed in service, Basis for depreciation, Recovery period, Convention, Method, and Depreciation deduction.

Section C - Assets Placed in Service During 2022 Tax Year Using the Alternative Depreciation System

Table with 6 columns: Class life, Month and year placed in service, Basis for depreciation, Recovery period, Convention, Method, and Depreciation deduction.

Part IV Summary (See instructions.)

Table with 3 rows for Summary, including Total amount of 1,853 and portion of basis attributable to section 263A costs.

For Paperwork Reduction Act Notice, see separate instructions.

Federal Supporting Statements

2022 PG01

Name(s) as shown on return

Tax ID Number

MESCO INC

23-1885209

Form 1120 - Line 26 - Other Deductions

Statement #5

<u>Description</u>	<u>Amount</u>
Bank charges	34
Dues and subscriptions	1,668
Insurance	1,657
Legal and professional	3,638
Office expense	257
Outside services and independent contractors	3,900
Postage/Shipping	674
Telephone	418
Utilities	10,443
Sludge Removal	29,623
Water Services	44,179
Sewage Testing	490
UTILITY TESTING	116
Total	97,097

PG01

Schedule L - Line 6

Statement #8

<u>Description</u>	<u>Beg Of Year</u>	<u>End Of Year</u>
PREPAID TAXES	3,577	3,578
Total	3,577	3,578

PG01

Schedule L - Line 21

Statement #12

<u>Description</u>	<u>Beg Of Year</u>	<u>End Of Year</u>
ACCRUED CORP TAXES	445	---
Total	445	---

1120

Overflow Statement

2022

Page 1

(This page is not filed with the return. It is for your records only.)

Name(s) as shown on return

MESCO INC

FEIN

23-1885209

Other Deductions - Utilities

Description	Amount
ELECTRIC	\$ 9,957
TRASH	486
Total:	\$ 10,443

A Check if: 1a Consolidated return (attach Form 851) <input type="checkbox"/> b Life/nonlife consolidated return <input type="checkbox"/> 2 Personal holding co. (attach Sch. PH) <input type="checkbox"/> 3 Personal service corp. (see instructions) <input type="checkbox"/> 4 Schedule M-3 attached <input type="checkbox"/>	TYPE OR PRINT	Name MESCO INC Number, street, and room or suite no. If a P.O. box, see instructions. 18 RED HAVEN DRIVE City or town, state or province, country and ZIP or foreign postal code Selinsgrove PA 17870	B Employer identification number 23-1885209 C Date incorporated 10-18-1972 D Total assets (see instructions) \$ 142,449
E Check if: (1) <input type="checkbox"/> Initial return (2) <input type="checkbox"/> Final return (3) <input type="checkbox"/> Name change (4) <input type="checkbox"/> Address change			

Income	1a	Gross receipts or sales	1a	91,961	
	b	Returns and allowances	1b		
	c	Balance. Subtract line 1b from line 1a	1c	91,961	
	2	Cost of goods sold (attach Form 1125-A)	2		
	3	Gross profit. Subtract line 2 from line 1c	3	91,961	
	4	Dividends and inclusions (Schedule C, line 23)	4		
	5	Interest	5		
	6	Gross rents	6		
	7	Gross royalties	7		
	8	Capital gain net income (attach Schedule D (Form 1120))	8		
	9	Net gain or (loss) from Form 4797, Part II, line 17 (attach Form 4797)	9		
10	Other income (see instructions - attach statement)	10			
11	Total income. Add lines 3 through 10	11	91,961		
Deductions (See instructions for limitations on deductions.)	12	Compensation of officers (see instructions - attach Form 1125-E)	12		
	13	Salaries and wages (less employment credits)	13		
	14	Repairs and maintenance	14	7,671	
	15	Bad debts	15		
	16	Rents	16		
	17	Taxes and licenses	17	1,915	Wks Tax/Lic
	18	Interest (see instructions)	18		
	19	Charitable contributions	19		
	20	Depreciation from Form 4562 not claimed on Form 1125-A or elsewhere on return (attach Form 4562)	20	1,616	
	21	Depletion	21		
	22	Advertising	22		
	23	Pension, profit-sharing, etc., plans	23		
	24	Employee benefit programs	24		
	25	Reserved for future use	25		
	26	Other deductions (attach statement)	26	76,746	Statement #5
	27	Total deductions. Add lines 12 through 26	27	87,948	
	28	Taxable income before net operating loss deduction and special deductions. Subtract line 27 from line 11	28	4,013	
29a	Net operating loss deduction (see instructions)	29a			
b	Special deductions (Schedule C, line 24)	29b			
c	Add lines 29a and 29b	29c			
Tax, Refundable Credits, & Payments	30	Taxable income. Subtract line 29c from line 28. See instructions	30	4,013	
	31	Total tax (Schedule J, Part I, line 11)	31	843	
	32	Reserved for future use	32		
	33	Total payments and credits (Schedule J, Part III, line 23)	33	4,420	
	34	Estimated tax penalty. See instructions. Check if Form 2220 is attached <input type="checkbox"/>	34		
	35	Amount owed. If line 33 is smaller than the total of lines 31 and 34, enter amount owed	35		
	36	Overpayment. If line 33 is larger than the total of lines 31 and 34, enter amount overpaid	36	3,577	
37	Enter amount from line 36 you want: Credited to 2022 estimated tax ▶ 3,577 Refunded ▶	37			

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than taxpayer) is based on all information of which preparer has any knowledge.

Sign Here	MARSTIN L ALEXANDER Signature of officer	Date	EXECUTOR Title	May the IRS discuss this return with the preparer shown below? See instructions. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
------------------	--	------	--------------------------	---

Paid Preparer Use Only	Print/Type preparer's name SAMUEL D THUMA	Preparer's signature	Date 02-09-2022	Check <input checked="" type="checkbox"/> if self-employed	PTIN P01341030
	Firm's name ▶ SAMUEL D THUMA CPA	Firm's EIN ▶ 23-2078737			Phone no.
	Firm's address ▶ PO BOX 366 Dillsburg PA 17019	(717) 432-9752			

Schedule C Dividends, Inclusions, and Special Deductions (see instructions)		(a) Dividends and inclusions	(b) %	(c) Special deductions (a) x (b)
1	Dividends from less-than-20%-owned domestic corporations (other than debt-financed stock)		50	
2	Dividends from 20%-or-more-owned domestic corporations (other than debt-financed stock)		65	
3	Dividends on certain debt-financed stock of domestic and foreign corporations		See instructions	
4	Dividends on certain preferred stock of less-than-20%-owned public utilities		23.3	
5	Dividends on certain preferred stock of 20%-or-more-owned public utilities		26.7	
6	Dividends from less-than-20%-owned foreign corporations and certain FSCs		50	
7	Dividends from 20%-or-more-owned foreign corporations and certain FSCs		65	
8	Dividends from wholly owned foreign subsidiaries		100	
9	Subtotal. Add lines 1 through 8. See instructions for limitations		See instructions	
10	Dividends from domestic corporations received by a small business investment company operating under the Small Business Investment Act of 1958		100	
11	Dividends from affiliated group members		100	
12	Dividends from certain FSCs		100	
13	Foreign-source portion of dividends received from a specified 10%-owned foreign corporation (excluding hybrid dividends) (see instructions)		100	
14	Dividends from foreign corporations not included on line 3, 6, 7, 8, 11, 12, or 13 (including any hybrid dividends)			
15	Reserved for future use			
16a	Subpart F inclusions derived from the sale by a controlled foreign corporation (CFC) of the stock of a lower-tier foreign corporation treated as a dividend (attach Form(s) 5471) (see instructions)		100	
b	Subpart F inclusions derived from hybrid dividends of tiered corporations (attach Form(s) 5471) (see instructions)			
c	Other inclusions from CFCs under subpart F not included on line 16a, 16b, or 17 (attach Form(s) 5471) (see instructions)			
17	Global Intangible Low-Taxed Income (GILTI) (attach Form(s) 5471 and Form 8992)			
18	Gross-up for foreign taxes deemed paid			
19	IC-DISC and former DISC dividends not included on line 1, 2, or 3			
20	Other dividends			
21	Deduction for dividends paid on certain preferred stock of public utilities			
22	Section 250 deduction (attach Form 8993)			
23	Total dividends and inclusions. Add column (a), lines 9 through 20. Enter here and on page 1, line 4			
24	Total special deductions. Add column (c), lines 9 through 22. Enter here and on page 1, line 29b			

Schedule J Tax Computation and Payment (see instructions)

Part I - Tax Computation

1	Check if the corporation is a member of a controlled group (attach Schedule O (Form 1120)). See instructions	<input type="checkbox"/>	
2	Income tax. See instructions		843
3	Base erosion minimum tax amount (attach Form 8991)		
4	Add lines 2 and 3		843
5a	Foreign tax credit (attach Form 1118)	5a	0
b	Credit from Form 8834 (see instructions)	5b	
c	General business credit (attach Form 3800)	5c	
d	Credit for prior year minimum tax (attach Form 8827)	5d	
e	Bond credits from Form 8912	5e	
6	Total credits. Add lines 5a through 5e	6	
7	Subtract line 6 from line 4	7	843
8	Personal holding company tax (attach Schedule PH (Form 1120))	8	0
9a	Recapture of investment credit (attach Form 4255)	9a	
b	Recapture of low-income housing credit (attach Form 8611)	9b	
c	Interest due under the look-back method - completed long-term contracts (attach Form 8697)	9c	
d	Interest due under the look-back method - income forecast method (attach Form 8866)	9d	
e	Alternative tax on qualifying shipping activities (attach Form 8902)	9e	
f	Interest/tax due under Section 453A(c) and/or Section 453(l)	9f	
g	Other (see instructions - attach statement)	9g	
10	Total. Add lines 9a through 9g	10	
11	Total tax. Add lines 7, 8, and 10. Enter here and on page 1, line 31	11	843

Part II - Reserved For Future Use

12	Reserved for future use	12	
----	-------------------------	----	--

Part III - Payments and Refundable Credits

13	2020 overpayment credited to 2021	13	
14	2021 estimated tax payments	14	4,420
15	2021 refund applied for on Form 4466	15	()
16	Combine lines 13, 14, and 15	16	4,420
17	Tax deposited with Form 7004	17	
18	Withholding (see instructions)	18	
19	Total payments. Add lines 16, 17, and 18	19	4,420
20	Refundable credits from:		
a	Form 2439	20a	
b	Form 4136	20b	
c	Reserved for future use	20c	
d	Other (attach statement - see instructions)	20d	
21	Total credits. Add lines 20a through 20d	21	
22	Reserved for future use	22	
23	Total payments and credits. Add lines 19 and 21. Enter here and on page 1, line 33	23	4,420

Schedule K Other Information (see instructions)

1	Check accounting method: a <input type="checkbox"/> Cash b <input checked="" type="checkbox"/> Accrual c <input type="checkbox"/> Other (specify) ▶ _____	Yes	No
2	See the instructions and enter the:		
a	Business activity code no. ▶ <u>221300</u>		
b	Business activity ▶ <u>SEWAGE DISPOSAL</u>		
c	Product or service ▶ <u>SERVICE</u>		
3	Is the corporation a subsidiary in an affiliated group or a parent-subsidiary controlled group? If "Yes," enter name and EIN of the parent corporation ▶ _____		X
4	At the end of the tax year:		
a	Did any foreign or domestic corporation, partnership (including any entity treated as a partnership), trust, or tax-exempt organization own directly 20% or more, or own, directly or indirectly, 50% or more of the total voting power of all classes of the corporation's stock entitled to vote? If "Yes," complete Part I of Schedule G (Form 1120) (attach Schedule G)	X	
b	Did any individual or estate own directly 20% or more, or own, directly or indirectly, 50% or more of the total voting power of all classes of the corporation's stock entitled to vote? If "Yes," complete Part II of Schedule G (Form 1120) (attach Schedule G)	X	
5	At the end of the tax year, did the corporation:		
a	Own directly 20% or more, or own, directly or indirectly, 50% or more of the total voting power of all classes of stock entitled to vote of any foreign or domestic corporation not included on Form 851, Affiliations Schedule? For rules of constructive ownership, see instructions If "Yes," complete (i) through (iv) below.		X

(i) Name of Corporation	(ii) Employer Identification Number (if any)	(iii) Country of Incorporation	(iv) Percentage Owned in Voting Stock

b Own directly an interest of 20% or more, or own, directly or indirectly, an interest of 50% or more in any foreign or domestic partnership (including an entity treated as a partnership) or in the beneficial interest of a trust? For rules of constructive ownership, see instructions
If "Yes," complete (i) through (iv) below.

(i) Name of Entity	(ii) Employer Identification Number (if any)	(iii) Country of Organization	(iv) Maximum Percentage Owned in Profit, Loss, or Capital

6	During this tax year, did the corporation pay dividends (other than stock dividends and distributions in exchange for stock) in excess of the corporation's current and accumulated earnings and profits? See sections 301 and 316 If "Yes," file Form 5452, Corporate Report of Nondividend Distributions. See the instructions for Form 5452. If this is a consolidated return, answer here for the parent corporation and on Form 851 for each subsidiary.		X
7	At any time during the tax year, did one foreign person own, directly or indirectly, at least 25% of the total voting power of all classes of the corporation's stock entitled to vote or at least 25% of the total value of all classes of the corporation's stock? For rules of attribution, see section 318. If "Yes," enter: (a) Percentage owned ▶ _____ and (b) Owner's country ▶ _____ (c) The corporation may have to file Form 5472, Information Return of a 25% Foreign-Owned U.S. Corporation or a Foreign Corporation Engaged in a U.S. Trade or Business. Enter the number of Forms 5472 attached ▶ <u>0</u>		X
8	Check this box if the corporation issued publicly offered debt instruments with original issue discount ▶ <input type="checkbox"/> If checked, the corporation may have to file Form 8281, Information Return for Publicly Offered Original Issue Discount Instruments.		
9	Enter the amount of tax-exempt interest received or accrued during the tax year ▶ \$ _____		
10	Enter the number of shareholders at the end of the tax year (if 100 or fewer) ▶ <u>1</u>		
11	If the corporation has an NOL for the tax year and is electing to forego the carryback period, check here (see instructions) ▶ <input type="checkbox"/> If the corporation is filing a consolidated return, the statement required by Regulations section 1.1502-21(b)(3) must be attached or the election will not be valid.		
12	Enter the available NOL carryover from prior tax years (do not reduce it by any deduction reported on page 1, line 29a.) ▶ \$ _____		

Schedule K Other Information (continued from page 4)

Table with 3 columns: Question, Yes, No. Rows 13-26 containing tax-related questions and their corresponding Yes/No responses.

Schedule L	Balance Sheets per Books	Beginning of tax year		End of tax year	
		(a)	(b)	(c)	(d)
Assets					
1	Cash		23,353		8,448
2a	Trade notes and accounts receivable	74,049		74,506	
b	Less allowance for bad debts	()	74,049	()	74,506
3	Inventories				
4	U.S. government obligations				
5	Tax-exempt securities (see instructions)				
6	Other current assets (attach statement)	Statement #8			3,577
7	Loans to shareholders				
8	Mortgage and real estate loans				
9	Other investments (attach statement)				
10a	Buildings and other depreciable assets	381,534		401,731	
b	Less accumulated depreciation	(360,197)	21,337	(361,813)	39,918
11a	Depletable assets				
b	Less accumulated depletion	()		()	
12	Land (net of any amortization)		16,000		16,000
13a	Intangible assets (amortizable only)	555		555	
b	Less accumulated amortization	(555)		(555)	
14	Other assets (attach statement)				
15	Total assets		134,739		142,449
Liabilities and Shareholders' Equity					
16	Accounts payable				8,000
17	Mortgages, notes, bonds payable in less than 1 year		18,200		
18	Other current liabilities (attach statement)				
19	Loans from shareholders		60,992		79,192
20	Mortgages, notes, bonds payable in 1 year or more				
21	Other liabilities (attach statement)	Statement #12			445
22	Capital stock: a Preferred stock				
b	Common stock	12,700	12,700	12,700	12,700
23	Additional paid-in capital				
24	Retained earnings-Appropriated (attach statement)				
25	Retained earnings-Unappropriated		41,748		44,890
26	Adjustments to shareholders' equity (attach statement)				
27	Less cost of treasury stock		(2,778)		(2,778)
28	Total liabilities and shareholders' equity		134,739		142,449

Schedule M-1 Reconciliation of Income (Loss) per Books With Income per Return

Note: The corporation may be required to file Schedule M-3. See instructions.

1	Net income (loss) per books	3,142	7	Income recorded on books this year not included on this return (itemize):	
2	Federal income tax per books	843		Tax-exempt interest \$ _____	
3	Excess of capital losses over capital gains			_____	
4	Income subject to tax not recorded on books this year (itemize): _____			_____	
5	Expenses recorded on books this year not deducted on this return (itemize):		8	Deductions on this return not charged against book income this year (itemize):	
a	Depreciation- \$ _____		a	Depreciation \$ _____	
b	Charitable contributions \$ _____		b	Charitable contributions \$ _____	
c	Travel and entertainment \$ _____			_____	
	Statement #16	28	9	Add lines 7 and 8	
6	Add lines 1 through 5	4,013	10	Income (page 1, line 28)-line 6 less line 9	4,013

Schedule M-2 Analysis of Unappropriated Retained Earnings per Books (Schedule L, Line 25)

1	Balance at beginning of year	41,748	5	Distributions: a Cash	
2	Net income (loss) per books	3,142		b Stock	
3	Other increases (itemize): _____			c Property	
	_____		6	Other decreases (itemize): _____	
	_____		7	Add lines 5 and 6	
4	Add lines 1, 2, and 3	44,890	8	Balance at end of year (line 4 less line 7)	44,890

Depreciation and Amortization

(Including Information on Listed Property)

▶ Attach to your tax return.

▶ Go to www.irs.gov/Form4562 for instructions and the latest information.

Name(s) shown on return MESCO INC	Business or activity to which this form relates FORM 1120	Identifying number 23-1885209
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Part I Election To Expense Certain Property Under Section 179

Note: If you have any listed property, complete Part V before you complete Part I.

1 Maximum amount (see instructions)	1	
2 Total cost of section 179 property placed in service (see instructions)	2	
3 Threshold cost of section 179 property before reduction in limitation (see instructions)	3	
4 Reduction in limitation. Subtract line 3 from line 2. If zero or less, enter -0-	4	
5 Dollar limitation for tax year. Subtract line 4 from line 1. If zero or less, enter -0-. If married filing separately, see instructions	5	
6	(a) Description of property	(b) Cost (business use only)
7	(c) Elected cost	
7 Listed property. Enter the amount from line 29	7	
8 Total elected cost of section 179 property. Add amounts in column (c), lines 6 and 7	8	
9 Tentative deduction. Enter the smaller of line 5 or line 8	9	
10 Carryover of disallowed deduction from line 13 of your 2020 Form 4562	10	
11 Business income limitation. Enter the smaller of business income (not less than zero) or line 5. See instructions	11	
12 Section 179 expense deduction. Add lines 9 and 10, but don't enter more than line 11	12	
13 Carryover of disallowed deduction to 2022. Add lines 9 and 10, less line 12 ▶	13	

Note: Don't use Part II or Part III below for listed property. Instead, use Part V.

Part II Special Depreciation Allowance and Other Depreciation (Don't include listed property. See instructions.)

14 Special depreciation allowance for qualified property (other than listed property) placed in service during the tax year. See instructions	14	
15 Property subject to section 168(f)(1) election	15	
16 Other depreciation (including ACRS)	16	1,335

Part III MACRS Depreciation (Don't include listed property. See instructions.)

Section A

17 MACRS deductions for assets placed in service in tax years beginning before 2021	17	
18 If you are electing to group any assets placed in service during the tax year into one or more general asset accounts, check here ▶ <input type="checkbox"/>		

Section B - Assets Placed in Service During 2021 Tax Year Using the General Depreciation System

(a) Classification of property	(b) Month and year placed in service	(c) Basis for depreciation (business/investment use only-see instructions)	(d) Recovery period	(e) Convention	(f) Method	(g) Depreciation deduction
19a 3-year property						
b 5-year property						
c 7-year property						
d 10-year property						
e 15-year property						
f 20-year property						
g 25-year property			25 yrs.		S/L	
h Residential rental property			27.5 yrs.	MM	S/L	
			27.5 yrs.	MM	S/L	
i Nonresidential real property	06-2021	20,197	39 yrs.	MM	S/L	281
				MM	S/L	

Section C - Assets Placed in Service During 2021 Tax Year Using the Alternative Depreciation System

20a Class life					S/L	
b 12-year			12 yrs.		S/L	
c 30-year			30 yrs.	MM	S/L	
d 40-year			40 yrs.	MM	S/L	

Part IV Summary (See instructions.)

21 Listed property. Enter amount from line 28	21	
22 Total. Add amounts from line 12, lines 14 through 17, lines 19 and 20 in column (g), and line 21. Enter here and on the appropriate lines of your return. Partnerships and S corporations - see instructions	22	1,616
23 For assets shown above and placed in service during the current year, enter the portion of the basis attributable to section 263A costs	23	

For Paperwork Reduction Act Notice, see separate instructions.

Federal Supporting Statements

2021 PG01

Name(s) as shown on return

Tax ID Number

MESCO INC

23-1885209

Form 1120 - Line 26 - Other Deductions

Statement #5

<u>Description</u>	<u>Amount</u>
Bank charges	144
Dues and subscriptions	1,226
Insurance	2,816
Legal and professional	2,600
Miscellaneous	611
Office expense	472
Outside services and independent contractors	4,500
Postage/Shipping	500
Telephone	384
Utilities	11,254
Sludge Removal	13,132
Water Services	38,247
Sewage Testing	576
UTILITY TESTING	284
Total	76,746

Schedule L - Line 6

PG01

Statement #8

<u>Description</u>	<u>Beg Of Year</u>	<u>End Of Year</u>
PREPAID TAXES	-----	3,577
Total	-----	3,577

Schedule L - Line 21

PG01

Statement #12

<u>Description</u>	<u>Beg Of Year</u>	<u>End Of Year</u>
ACCRUED CORP TAXES	3,877	445
Total	3,877	445

Federal Supporting Statements

2021 PG01

Name(s) as shown on return

Tax ID Number

MESCO INC

23-1885209

Schedule M-1 Line 5C
Expenses recorded on Books

Statement #16

DESCRIPTION

AMOUNT

Penalties and fines

28

Total

28

1120

Overflow Statement

2021

Page 1

(This page is not filed with the return. It is for your records only.)

Name(s) as shown on return

MESCO INC

FEIN

23-1885209

Form 1120, Page 1, Line 26

<u>Description</u>	<u>Amount</u>
ELECTRIC	\$ 10,786
TRASH	468
Total:	\$ 11,254

Exhibit L

EXHIBIT L

Estimated Annual Revenue and Expense Figures

Projected annual revenue is based upon the current quarterly rate charged by Seller for the number of residential customers connected.

Monthly Residential Customer Charge	\$ 44.09
	<u>x 180</u>
Monthly Residential Revenue	\$ 7,936
Monthly Total Revenue	\$ 7,936
	<u>x 12</u>
Annual Total Revenue	<u>\$ 95,232</u>

Estimated expenses are calculated based on the Company's latest cost of service study performed with the latest rate filing effective March 1, 2023. The Company expects the expenses for the new MESCO customers to mirror those of the current system.

O & M Expenses (34.1% of revenue)	\$32,474
Depreciation (18.6% of revenue)	17,713
General Taxes (2.1% of revenue)	2,000
Income Taxes (5.4% of revenue)	5,143
Total Operating Expenses	\$57,330
Operating Income	\$37,902

TUS Data Request Set 1

Joint Application of The York Water Company - Wastewater and MESCO, Inc. for approval of the rights of: (1) to transfer certain public wastewater facilities from the Estate of Jane M. Alexander acting through its executors Lorinda Krause and Marstin Alexander and MESCO, Inc to The York Water Company - Wastewater; (2) the abandonment by MESCO, Inc. of wastewater service to the public in its service territory in Monaghan Township, York County Pennsylvania; and (3) The York Water Company - Wastewater to offer, render, furnish and supply wastewater service to the public in a portion of Monaghan Township, York County, Pennsylvania
Docket Nos. A-2023-3041009 & A-2023-3041010

A-10 A confidential version of the Joint Application was filed at Docket Nos. A-2023-3041009 and A-2023-3041010 on May 30, 2023. The cover letter of the Joint Application indicated that the confidential version contained proprietary and competitively sensitive information, namely Exhibit E, the Purchase Agreement. To the ensure a complete public record, please file an expurgated copy of Exhibit E that redacts only the portions of the exhibit that York Water-WW believes to be confidential.

RESPONDENT:

Devin Ryan, Principal
Post & Schell
Counsel for The York Water Company

RESPONSE:

The entire Purchase Agreement is competitively-sensitive and attorney work product and, therefore, is confidential. Moreover, no public entity (municipal or other governmental) is a party to the contract. As such, York Water cannot file an “expurgated copy of Exhibit E.”

TUS Data Request Set 1

Joint Application of The York Water Company - Wastewater and MESCO, Inc. for approval of the rights of: (1) to transfer certain public wastewater facilities from the Estate of Jane M. Alexander acting through its executors Lorinda Krause and Marstin Alexander and MESCO, Inc to The York Water Company - Wastewater; (2) the abandonment by MESCO, Inc. of wastewater service to the public in its service territory in Monaghan Township, York County Pennsylvania; and (3) The York Water Company - Wastewater to offer, render, furnish and supply wastewater service to the public in a portion of Monaghan Township, York County, Pennsylvania
Docket Nos. A-2023-3041009 & A-2023-3041010

A-11 Please state if York Water-WW and MESCO are affiliated with one another.

RESPONDENT:

JT Hand, CEO and President
The York Water Company

RESPONSE:

York Water and MESCO are not affiliated with one another. This is an arm's length transaction.

TUS Data Request Set 1

Joint Application of The York Water Company - Wastewater and MESCO, Inc. for approval of the rights of: (1) to transfer certain public wastewater facilities from the Estate of Jane M. Alexander acting through its executors Lorinda Krause and Marstin Alexander and MESCO, Inc to The York Water Company - Wastewater; (2) the abandonment by MESCO, Inc. of wastewater service to the public in its service territory in Monaghan Township, York County Pennsylvania; and (3) The York Water Company - Wastewater to offer, render, furnish and supply wastewater service to the public in a portion of Monaghan Township, York County, Pennsylvania
Docket Nos. A-2023-3041009 & A-2023-3041010

A-12 Please provide an estimate of the closing costs for the transaction and identify the source of funds that will be used to pay for those costs.

RESPONDENT:

Matthew Poff, Chief Financial Officer
The York Water Company

RESPONSE:

In York Water's experience, closing costs usually range between \$7,500 to \$20,000. The higher end of this range typically involves multiple parcels of land and extensive title search work. This transaction would be relatively straightforward, and York Water anticipates it would be on the lower end of the scale, around \$10,000. Operating cash would be used to pay closing costs.

TUS Data Request Set 1

Joint Application of The York Water Company - Wastewater and MESCO, Inc. for approval of the rights of: (1) to transfer certain public wastewater facilities from the Estate of Jane M. Alexander acting through its executors Lorinda Krause and Marstin Alexander and MESCO, Inc to The York Water Company - Wastewater; (2) the abandonment by MESCO, Inc. of wastewater service to the public in its service territory in Monaghan Township, York County Pennsylvania; and (3) The York Water Company - Wastewater to offer, render, furnish and supply wastewater service to the public in a portion of Monaghan Township, York County, Pennsylvania
Docket Nos. A-2023-3041009 & A-2023-3041010

A-13 Please identify how MESCO's current wastewater customers receive water service.

RESPONDENT:

Suzanne H. Griest
Counsel for Seller Estate and Executors

RESPONSE:

All of MESCO's current customers are on private water wells.

TUS Data Request Set 1

Joint Application of The York Water Company - Wastewater and MESCO, Inc. for approval of the rights of: (1) to transfer certain public wastewater facilities from the Estate of Jane M. Alexander acting through its executors Lorinda Krause and Marstin Alexander and MESCO, Inc to The York Water Company - Wastewater; (2) the abandonment by MESCO, Inc. of wastewater service to the public in its service territory in Monaghan Township, York County Pennsylvania; and (3) The York Water Company - Wastewater to offer, render, furnish and supply wastewater service to the public in a portion of Monaghan Township, York County, Pennsylvania
Docket Nos. A-2023-3041009 & A-2023-3041010

A-14 Please explain how approval of the Application would benefit current York Water-WW customers.

RESPONDENT:

Matthew Poff, Chief Financial Officer
The York Water Company

RESPONSE:

Approval of the proposed Joint Application will benefit York Water's existing wastewater customers because by expanding the Company's customer base, York Water's fixed wastewater costs will be spread over a greater number of customers. Furthermore, the revenues received from these new customers can eventually help pay for system improvements elsewhere on the Company's wastewater system. York Water also maintains that the Commission should take other considerations into account when determining whether the Joint Application is necessary and proper for the service, accommodation, convenience, and safety of the public, including how:

- a. Sellers' assets are part of an estate that must be closed, and the layperson Executors are not interested nor capable of continuing to provide wastewater service in a regulated industry with which they have no experience;
- b. Prior to and during the Sellers' ownership, the treatment system has been in violation of applicable regulatory requirements, received a number of Notices of Violation, is being put under an Order from the Pennsylvania Department of Environmental Protection, and the current certified operator has limited ability to address the challenges experienced with operating the Wastewater System Assets and keeping the system in compliance with all applicable regulatory requirements;
- c. York Water will bring significant experience, professional staff and operators, customer service support, and other customer and facilities resources to the Sellers' Wastewater System Assets in order to best serve customers and continue to maintain compliance with both existing and proposed regulatory requirements, including: (1) consistent and close supervision of the operation of the Wastewater System Assets, which are currently beset with several operational and compliance challenges; (2) 24/7 in-person responsiveness to customer service requests and emergencies; and (3) the ability and willingness to invest in and maintain the Wastewater System Assets as needed to comply with all regulatory requirements, which have not been met by the current operator; and

- d. The Commission encourages utilities, such as York Water, to acquire small nonviable wastewater systems, such as the Wastewater System Assets owned by MESCO. *See* 52 Pa. Code § 69.711.

TUS Data Request Set 1

Joint Application of The York Water Company - Wastewater and MESCO, Inc. for approval of the rights of: (1) to transfer certain public wastewater facilities from the Estate of Jane M. Alexander acting through its executors Lorinda Krause and Marstin Alexander and MESCO, Inc to The York Water Company - Wastewater; (2) the abandonment by MESCO, Inc. of wastewater service to the public in its service territory in Monaghan Township, York County Pennsylvania; and (3) The York Water Company - Wastewater to offer, render, furnish and supply wastewater service to the public in a portion of Monaghan Township, York County, Pennsylvania
Docket Nos. A-2023-3041009 & A-2023-3041010

A-15 In Section 15 of the Application, York Water-WW indicated that it plans to invest initially in evaluating improvements to the equalization tank and inflow and infiltration of installed wastewater mains and services and implement connectivity with York Water WW's master SCADA system. Please provide an estimate of the costs of these investments and explain how York Water-WW will fund these investments.

RESPONDENT:

Vaughn Wenger, Superintendent Wastewater Operations
The York Water Company

RESPONSE:

Equalization tank repair is estimated to cost approximately \$150,000. Evaluating I&I in the system is estimated to cost approximately \$45,000. Since filing the Joint Application, York Water has further evaluated whether a SCADA system connection is needed. Ultimately, York Water has determined that the Company will not implement SCADA at this site. Rather, York Water will install a Sensaphone autodialer. The approximate cost of the Sensaphone autodialer is \$12,000, which is substantially less than the approximate \$80,000 cost of the SCADA system. Operating cash will be used to fund these projects.

TUS Data Request Set 1

Joint Application of The York Water Company - Wastewater and MESCO, Inc. for approval of the rights of: (1) to transfer certain public wastewater facilities from the Estate of Jane M. Alexander acting through its executors Lorinda Krause and Marstin Alexander and MESCO, Inc to The York Water Company - Wastewater; (2) the abandonment by MESCO, Inc. of wastewater service to the public in its service territory in Monaghan Township, York County Pennsylvania; and (3) The York Water Company - Wastewater to offer, render, furnish and supply wastewater service to the public in a portion of Monaghan Township, York County, Pennsylvania
Docket Nos. A-2023-3041009 & A-2023-3041010

A-16 By Secretarial Letter dated May 31, 2023, the Commission directed York Water-WW to serve copies of the Joint Application on a list of parties. Please provide a certificate of service indicating the Joint Application has been served on the parties listed in the Secretarial Letter.

RESPONDENT:

Devin Ryan, Principal
Post & Schell, P.C.
Counsel for The York Water Company

RESPONSE:

Attached is a true and correct copy of the Certificate of Service, which was included with the Joint Application filed on May 30, 2023. The originally-filed Certificate of Service inadvertently stated that the service date was May 26, 2023. Attached is a corrected Certificate of Service with the May 30, 2023 service date.

As shown in the original and corrected Certificate of Service, copies of the Joint Application were served on the Office of Consumer Advocate, the Office of Small Business Advocate, the Bureau of Investigation and Enforcement, the Department of Environmental Protection, the York County Planning Commission, and the Monaghan Township Planning Commission, which are the entities required to be served under the May 31, 2023 Secretarial Letter. None of those mailings were returned to sender.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Joint Application of The York Water Company and MESCO, Inc. has been served by certified mail, return receipt requested, upon the following:

Office of Consumer Advocate
555 Walnut Street
Forum Place, 5th Floor
Harrisburg, PA 17101-1923

York County Planning Commission
28 East Market Street
York, PA 17401

Office of Small Business Advocate
555 Walnut Street
Forum Place, 1st Floor
Harrisburg, PA 17101

Monagahn Township Planning Commission
202 S. York Road
Dillsburg, PA 17019

Bureau of Investigation and Enforcement
PA Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor West
Harrisburg, PA 17105-3265

Department of Environmental Protection
Southcentral Regional Office
909 Elmerton Avenue
Harrisburg, PA 17110-8200

Dated: May 30, 2023

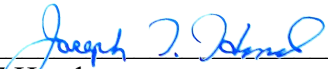


Devin T. Ryan, Esq.

VERIFICATION

I, JT Hand, President and Chief Executive Officer of The York Water Company, hereby state that the facts above set forth 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).

Date: August 1, 2023




JT Hand

VERIFICATION

I, Matthew E. Poff, Chief Financial Officer of The York Water Company, hereby state that the facts above set forth 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).

Date: August 1, 2023



Matthew E. Poff

VERIFICATION

I, Vaughn Wenger, Superintendent Waste Water Operations of The York Water Company, hereby state that the facts above set forth 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).

Date: August 1, 2023




Vaughn Wenger

VERIFICATION

I, Andrew Prosser, Senior Engineer Manager of The York Water Company, hereby state that the facts above set forth 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).

Date: August 1, 2023

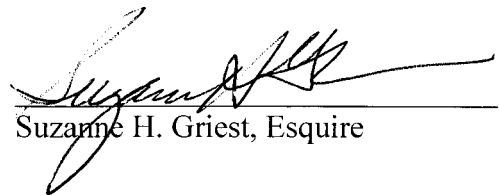


Andrew Prosser

VERIFICATION

I, Suzanne H. Griest, Esquire, Counsel for the Seller Estate and Executors, hereby state that the facts above set forth 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).

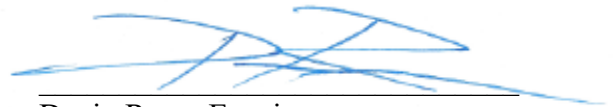
Date: August 1, 2023


Suzanne H. Griest, Esquire

VERIFICATION

I, Devin Ryan, Esquire, Counsel for The York Water Company, hereby state that the facts above set forth 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).

Date: August 1, 2023



Devin Ryan, Esquire