



**Teresa K. Harrold**  
Director, Corporate Counsel  
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November 19, 2024

**VIA ELECTRONIC FILING**

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

In re: Application of Pennsylvania-American Water Company for  
Approval of the Right to Offer, Render, Furnish or Supply  
Wastewater Service to the Public in an Additional Portion of  
Fairview Township, York County, Pennsylvania  
**Docket No. A-2024-3050785**

Dear Secretary Chiavetta:

In response to your letter dated November 12, 2024, attached for filing is  
Pennsylvania-American Water Company's ("PAWC") response to Data Request Set  
II, Question A-19 regarding the above referenced proceeding. Please note that  
PAWC will respond to the other questions on or before **November 26, 2024**.

Should you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Teresa Harrold", written in a cursive style.

Teresa K. Harrold

cc: All Parties on the Attached Certificate of Service (*via electronic mail*)  
Clinton McKinley, Bureau of Technical Utility Service (*via electronic mail*)

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**In re: Application of Pennsylvania-American Water Company for Approval of the Right to Offer, Render, Furnish or Supply Wastewater Service to the Public in an Additional Portion of Fairview Township, York County, Pennsylvania** :  
: **Docket No. A-2024-3050785**  
:  
:  
:

**CERTIFICATE OF SERVICE**

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

**SERVICE VIA ELECTRONIC MAIL ON NOVEMBER 19, 2024**

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

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

Alison Kaster, Director  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
400 North Street  
PO Box 3265  
Harrisburg, PA 17105

Sincerely,



\_\_\_\_\_  
Teresa K. Harrold, Esquire (PA ID #311082)  
Pennsylvania-American Water Company  
852 Wesley Drive  
Mechanicsburg, PA 17055  
Phone: (717) 550-1562  
email: [teresa.harrold@amwater.com](mailto:teresa.harrold@amwater.com)

**Attorney for Pennsylvania-American  
Water Company**

**Application of Pennsylvania-American Water Company – Wastewater Division for Approval to Begin to Offer, Render, Furnish or Supply Wastewater Service to the Public in an Additional Portion of Fairview Township, York County, Pennsylvania**

**Docket No. A-2024-3050785**

**PAWC Responses to TUS Set II**

**A-19.** In response to Data Request A-4, PAWC-WD included a copy of a Department of Environmental Protection (DEP) letter dated February 4, 2021, that approved the Sewage Facilities Planning Module for the former Fairview at the Yellow Breeches residential subdivision with an estimated sewage flow of 90,000 GPD. However, PAWC-WD did not provide evidence of DEP approving the revised sewage flow estimate of 117,150 GPD for the new Sienna Development. Please provide evidence of DEP’s approval of Fairview Township’s Act 537 Official Sewage Facilities Planning revision to allow for the Sienna Development.

**Response:** Please see **A-19\_Attachment** for DEP’s letter approving Fairview Township’s Act 537 Official Sewage Facilities Planning revision to allow for the Sienna Development.

**Responsible Witness:** **Max Stoner, P.E. – Senior Project Leader**  
**JHA Consulting Engineers**

**Date:** **November 19, 2024**



September 14, 2022

Fairview Township Board of Supervisors  
599 Lewisberry Road  
New Cumberland, PA 17070-2399

Re: Approval Letter – Revision  
Act 537 Planning  
Sienna  
DEP CODE NO. A3-67919-484-3  
APS ID No. 1070148, AUTH ID No. 1407845  
Fairview Township, York County

Dear Supervisors:

The Department of Environmental Protection (DEP) has reviewed the proposed Official Plan revision consisting of a two-lot subdivision on 135 acres. Tract #3 will contain 134 single-family residential units, 521 multi-family residential units and one community center. Lot 2 will contain 32 multi-family residential units, and public sewer will be extended to a single-family residential dwelling on Lot 1 and five existing properties along Limekiln Road. Total estimated sewage flows are 117,150 gpd, and they will be tributary to the PA American Water Company collection and conveyance system, and ultimately, the Lower Allen Township Authority Wastewater Treatment Plant. The proposed development is located on the northwestern corner of Limekiln Road and Spanglers Mill Road in Fairview Township, York County.

The plan revision is approved. The following comments apply:

1. The approved project will require a Water Quality Management (Part II) permit for the construction and operation of the proposed sewage facilities. The permit application must be submitted in the name of the PA American Water Company. Issuance of a Part II permit will be based upon a technical evaluation of the permit application and supporting documentation. Starting construction prior to obtaining a permit is a violation of the Clean Streams Law. The Part II permit application can be obtained from DEP's Clean Water Program at the letterhead address, by telephone at 717.705.4707 or downloaded from the Internet at: [www.dep.state.pa.us/dep/deputate/watermgt/wqp/forms/forms\\_home.htm](http://www.dep.state.pa.us/dep/deputate/watermgt/wqp/forms/forms_home.htm).
2. Other DEP permits may be required for construction if encroachment to streams or wetlands will result. Information regarding the requirements for such permits or approvals can be obtained from DEP's Watershed Management Program at the letterhead address, by telephone at 717.705.4802 or downloaded from the Internet at: [www.dep.state.pa.us/dep/deputate/watermgt/wqp/forms/forms\\_home.htm](http://www.dep.state.pa.us/dep/deputate/watermgt/wqp/forms/forms_home.htm).
3. This approval replaces the approval for the Fairview at the Yellow Breeches (Dep Code No. A3-67919-470-3) issued February 4, 2021.

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

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

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

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


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

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

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

If you have any questions or concerns, please call Carrie Wilt at 717.705.4755 and refer to DEP Code No. A3-67919-484-3, Application No. 1070148 and Authorization No. 1407845.

Sincerely,



Maria D. Bebenek, P.E.  
Program Manager

cc: Bryce Burkentine, Burkentine Real Estate Group (pdf)  
Raelene Gabriel, Glace Associates, Inc. (pdf)  
Bruce Aiton, PA American Water (pdf)  
Brian Kauffman, Lower Allen Township Authority (pdf)  
York County Planning Commission (pdf)


**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

In re: Application of Pennsylvania-American Water :  
Company for Approval of the Right to Offer, Render, : Docket No. A-2024-3050785  
Furnish or Supply Wastewater Service to the Public in :  
an Additional Portion of Fairview Township, York :  
County, Pennsylvania :

**VERIFICATION**

I, Max Stoner, PE, Sr. Project Leader, JHA Consulting Engineers, hereby state that the facts set above in the response to TUS Data Request, SetII, No. A-19 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).

Dated: 11/19/24

  
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Max Stoner, PE  
Sr. Project Leader  
JHA Consulting Engineers