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Delaware County Regional Water Quality Control Authority CHESTER. PENNSYLVANIA

CSO Long Term Control Plan

Consent Decree Semi-Annual Report No. 2

For the Reporting Period of January 1, 2016 – June 30, 2016

CIVIL ACTION NO. Case 2:15-cv-04652-RB Filed: 11/10/15

NPDES Permit Number PA0027103 A-1

June 30, 2016



CSO Long-Term Control Plan Update

SEMI-ANNUAL REPORT FY 2016

SEMI ANNUAL REPORT CERTIFICATION SHEET Consent Decree Semi-Annual Report No. 2

For the Reporting Period of January 1, 2016 – June 30, 2016 CIVIL ACTION NO. Case 2:15-cv-04652-RB Filed: 11/10/15

June 29, 2016

I certify under penalty of law that the document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

DELCORA MANAGEMENT				
Executive Director	Bolind Signature	4/29/14 Date		
DELCORA ENGINEERIN	G			
Director of Engineering	Edwir Bothwell Signature	6/29/16 Date		
DELCORA OPERATIONS AND MAINTENANCE				
Director of Operation and Maintenance	Matthe Askultan	<u>6/29/16</u> Date		

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SEMI-ANNUAL REPORT FY 2016 JUNE

Section 1 Introduction

The Delaware County Regional Water Quality Control Authority (DELCORA) entered into a Consent Decree (CD) with the United States Government to establish a schedule for implementation of Long Term Control Plan Update (LTCPU) to achieve full compliance with the Clean Water Act and the regulations and Clean Streams Law and regulations. The lodging of this Consent Decree was entered by the court on August 17, 2015 in Civil Action Case 2:15-cv-04652-RB Document 4 by the United States District Court for the Delaware County Regional Water Quality Control Authority. The Consent Decree was signed and filed on November 10, 2015 by the United States District Court for the Eastern District of Pennsylvania.

Section 2 Consent Decree Progress Reports

On the first Day of each Semi-Annual Period after the Date of Lodging of this Consent Decree and continuing until termination of this Consent Decree, DELCORA will submit to EPA and PADEP a progress report ("Semi-Annual Progress Report") regarding the implementation of the requirements of the Consent Decree in the previous Semi-Annual Period. The Semi-Annual Progress Report will include at a minimum:

- A statement setting forth the deadlines and other terms that DELCORA was required by the Consent Decree to meet since the date of the last Semi-Annual Progress Report, whether and to what extent DELCORA has met these requirements, and the reasons for any noncompliance;
- b. A general description of the work completed within the prior Semi-Annual Period, and a projection of work to be performed pursuant to this Consent Decree during the next or succeeding Semi-Annual Period;
- c. A summary of all contacts with EPA and PADEP during the reporting period relating to CSOs, SSOs, or implementation of this Consent Decree;
- d. A statement of any exceedances of NPDES Permit limitations; and,
- e. A summary of all CSOs, SSOs, Unauthorized Releases, and Unpermitted Discharges occurring within the Semi-Annual Period including the actual or estimated frequency, duration, and volume of each CSO, SSO, Unauthorized Release, and Unpermitted Discharge.

Section 3 Items Requiring Government Action

Table 1 is a status report for items requiring government action this reporting period. This may include items such as permits and information requests from government agencies. *Appendix 1 – Additional Correspondence* contains the letters of correspondence to government agencies.

Section 4 Deadlines

Table 2 is a status report of 1) the deadlines and other terms that DELCORA was required by this Consent Decree to meet since the date of the last Semi-annual Progress Report; 2) whether and to what extent DELCORA has meet these requirements; and 3) the reasons for any non-compliance.

SEMI-ANNUAL REPORT FY 2016 JUNE

Section 5 Description of Work Completed Within the Six-Month Period and Projection of Work

Table 3 is a status report of 1) a general description of the work completed within the six-month period; and 2) a projection of work to be performed pursuant to this Consent Decree during the next or succeeding six-month period.

Section 6 Summary of All Contacts with EPA AND PADEP

Table 4 is a summary of all contacts with the EPA and PADEP during the report period relating to CSOs, SSOs or implementation of this Consent Decree. *Appendix 2 – Notification Letters* contains all the letters that were sent to EPA and PADEP which are summarized in Table 4.

Section 7 Statement of Exceedances of NPDES Permit Limitations

Under National Pollutant Discharge Elimination System (NPDES) Permit No. PA0027103, issued and administered by the Pennsylvania Department of Environmental Protection (PADEP), DELCORA is authorized to discharge from the Western Regional Treatment Plant (Outfall 001), four storm water outfalls at the WRTP (028-031) and from 26 combined sewer overflow (CSO) outfalls (002-026, 032, 033) that ultimately discharge to the Delaware River, Chester Creek and/or Ridley Creek.

Table 5 is a summary of any exceedances of NPDES Permit limitations. *Appendix 3 – NPDES Permit Exceedance Report* contains the NPDES Permit exceedance reports generated within this six-month reporting period.

Section 8 Summary of All CSOs, SSOs and Unpermitted Discharges Occuring within the Six-Month Period

Table 6 is a summary of all CSOs, SSOs and Unpermitted Discharges occurring within the six-month reporting period including the actual or estimated frequency, duration and volume of each CSO, SSO and unpermitted discharge. *Appendix* 4 – *CSOs*, *SSOs* and *Unpermitted Discharges Correspondence* contains all CSO correspondence and inspections for the reporting period.

Items Requiring Government Action

	TABLE 1 ITEMS REQUIRING GOVERNMENT ACTION							
Reference	Request	Deadline in CD	Status / Comment					
Sensitive Areas Study	Information Requested from Government Agencies	2/17/16	Response received on December 22, 2015 and June 13, 2016 from PF&B					

NOTES:
1. Copy of Letters in Appendix 1

Deadlines for this Reporting Period of Consent Decree

	TABLE 2 DEADLINES FOR THIS REPORTING PERIOD O	E CONSENT DECREE	
Reference	Requirement	Deadline in CD	Status (Met Requirement or any Non-compliance
CD V.A.11: Identification of Sensitive Areas and Pollutants of Concern	Consent Decree Paragraph V.A.11 (Identification of Sensitive Areas and Pollutants of Concern) requires that within six (6) months after the Date of Lodging, DELCORA shall submit a report that identifies all Sensitive Areas and Pollutants of Concern that are impacted by CSOs and are within the Model Area for each of its receiving waters	02/17/16	Met Requirement (submitted to USEPA 02/12/16)
CD V.A.13: Alternatives Evaluation Approach	Consent Decree Section V.A.13 ("Alternatives Evaluation Approach") requires within nine (9) months after the Date of Lodging, DELCORA shall propose, in coordination with the EPA and PADEP and in accordance with Section II.C.4 of the CSO Control Policy, what approach to LTCP Alternative Evaluation (i.e., Presumption or Demonstration) is appropriate for each of DELCORA's Receiving Waters, and to submit a written explanation of such determination to Plaintiffs for review and approval pursuant to Section VI (Review and Approval of Submittals)."	05/17/16	Met Requirement (submitted to USEPA 04/27/16)
CD V.A.17: Draft Financial Capabilities Assessment	Within nine (9) months after the date of Lodging DELCORA shall submit to EPA and PADEP for review and comment a draft Financial Capability Assessment ("FCA")	05/17/16	Met Requirement (submitted to USEPA 05/13/16)
CD V.A.11: Identification of Sensitive Areas and Pollutants of Concern	Within 60 Days following receipt of any notice from EPA disapproving a submittal or directing modification of a submittal pursuant to the preceding Paragraph (or within such longer time set forth in the notice or agreed to by the Parties), DELCORA shall submit a modified submittal to EPA and PADEP for approval	60 days	Met Requirement Received comments 3/24/16 Resubmitted 05/18/16

	TABLE 2 DEADLINES FOR THIS REPORTING PERIOD OF CONSENT DECREE				
Reference	Requirement	Deadline in CD	Status (Met Requirement or any Non-compliance		
CD V.A.12: Typical Year Rainfall Record Report	Within 60 Days following receipt of any notice from EPA disapproving a submittal or directing modification of a submittal pursuant to the preceding Paragraph (or within such longer time set forth in the notice or agreed to by the Parties), DELCORA shall submit a modified submittal to EPA and PADEP for approval	60 days	Met Requirement Received comments 2/25/16 Resubmitted 04/28/16		
CD V.A.17: Public Participation Plan	Within 60 Days following receipt of any notice from EPA disapproving a submittal or directing modification of a submittal pursuant to the preceding Paragraph (or within such longer time set forth in the notice or agreed to by the Parties), DELCORA shall submit a modified submittal to EPA and PADEP for approval	60 days	Met Requirement Received comments 2/18/16 Resubmitted 04/14/16		

Work Completed Within the Six-Month Period and to be Completed in the Next Six-Month Period

Reference	Work Completed Date	Project/Activity/Request	Deadline in CD/NMC	Status/Comment (Met Requirement or any Non- Compliance)
LTCPU	January 2016 thru July 2016	Held Monthly Progress Meetings with Greeley and Hansen and subconsultants. Prepared Monthly Progress Reports. Held internal coordination meetings and teleconferences. Developed LTCPU schedule. Updated Overall LTCPU Schedule with Consent Decree Start Date. Reviewed previous USEPA comments on LTCP.	2/17/19	On-going, On schedule
Consent Decree V.A.11: Identification of Sensitive Areas and Pollutants of Concern	January 2016 thru May. 2016	Identification of Sensitive Areas and Pollutants of Concern Finalized water quality exceedance analysis for the final List of Parameters Considered. Finalized the List of Pollutants of Concern (POCs).	6 months - 2/17/16	Met Requirement (submitted to USEPA 02/12/16)
		Finalized search for water quality data for the Delaware River, Chester Creek and Ridley Creek from EPA's STORET data base. Finalized GIS-based maps for the Identification of Sensitive Areas and Pollutants of Concern report. Finalized tally for survey. Held Workshop. Finalized Draft and Final Report to DELCORA. Submitted Final Identification of Sensitive Areas and Pollutants of Concern Report. Responded to USEPA comments and resubmitted revised report.	60 days Respond to comments	Met Requirement Received comments 3/24/16 Resubmitted 05/18/16
Consent Decree V.A.12: Typical Year Rainfall Record Report	February 2016 thru April 2016	Typical Year Rainfall Record Received comments from the USEPA on the Typical Hydrologic Period Report. Reviewed and responded to USEPA Comments. Resubmitted Final Report to USEPA.	60 days to respond to comments.	Met Requirement Received comments 2/25/16 Resubmitted 04/28/16
Consent Decree V.A.13: Alternatives Evaluation Approach	January 2016 thru April 2016	Alternatives Evaluation Approach Completed work to run the H&H model for the Typical Year Rainfall to determine the model's predictions of CSO frequencies and volumes. Developed draft Report. Completed draft and finalize Alternatives Evaluation Approach Report. Submitted final report to USEPA.	05/17/16	Met Requirement (submitted to USEPA 04/27/16)

Reference	Work Completed Date	Project/Activity/Request	Deadline in CD/NMC	Status/Comment (Met Requirement or any Non-Compliance)
Consent Decree V.A.14: Hydrologic and Hydraulic Model (H&H Model) Update and Calibration Plan	January 2016 thru May. 2016	Hydrologic & Hydraulic Model ("H&H Model") Update & Calibration Plan Final Hydrologic and Hydraulic (H&H) Model and Calibration Plan was submitted to USEPA on 10/15/15. Revised Schedule to reflect actual start date of flow and rain gauge monitoring. Received approval for Hydrologic and Hydraulic (H&H) Model and Calibration Plan from USEPA on 03/01/16.	10/17/15	MET REQUIREMENT Approved Report on 03/01/16 Started flow monitoring on 3/18/16.
Consent Decree V.A.14e: Rainfall and Flow Monitoring	January 2016 through June 2016	Initiated Rainfall and Flow Monitoring Finalized site locations for proposed flow meters and rain gauges. Installed flow meters and rain gauges. Tested and confirmed proper operation of flow meter and rain gauges. Officially started rainfall and flow monitoring plan on March 18, 2016. Received and analyzed flow meter data from March thru May 2016.	12 months of flow monitoring required	On-going, Flow monitoring started March 18, 2016.
Consent Decree V.A.17: Public Participation Plan	July 2015 thru Oct 2015	Public Participation Plan Advertised first Public Meeting in four (4) local papers. Held First Public Meeting on March 15, 2016. Responded to Public Comments. Held Stakeholders Meetings with CEP. Submitted meeting notes, responsive summary and presentation to USEPA. Developed Website and newsletter and off-Line repository Binder. Received comments from USEPA on 2/18/16. Responded to USEPA comments and resubmitted revised report. Report was approved by USEPA on 04/28/16.	60 days to respond to comments.	On-going, On schedule Met Requirement Received comments 2/18/16 Resubmitted 04/14/16
LTCPU CD V.A.18: Financial Capabilities Assessment	January 2016 thru May 2016	Draft Financial Capabilities Assessment (FCA) Finalized FCA calculations and report. Finalized Draft FCA Report and submitted final report to USEPA.	05/17/16	Met Requirement (submitted to USEPA 05/13/16)

WORK (COMPLETED WIT	TABLE 3 HIN THE SIX-MONTH PERIOD AND TO BE COMPLETED IN	THE NEXT SIX-M	ONTH PERIOD
Reference	Work Completed Date	Project/Activity/Request	Deadline in CD/NMC	Status/Comment (Met Requirement or any Non-Compliance)
Consent Decree V.II Reporting:	January 2016 thru June 2016	Semi-Annual Report – Developed Draft Report. Held Progress Meeting to discuss on 05/15/16. Reviewed Final Draft Report.	07/01/16	On schedule- All data in this semi-annual report is through June 29, 2016. Next report will include information from June 29, 2016.
Consent Decree V.B.26: Early Action CSO Control Measures	Currently in Design Phase	Additional Early Action Items EPS-01 Pump Station – Design is approximately 30 % complete. Continuing to develop design, permitting and land acquisition.	12/31/18	On-going, DELCORA has requested that this deadline date be extended to 12/31/19 due to concerns such as land acquisition and permitting. See correspondence Table 4 of this report.
Anticipated activities	s for the next (5 months		
Consent Decree V.A.11: Identification of Sensitive Areas and Pollutants of Concern	July 2016 thru September 2016	Identification of Sensitive Areas and Pollutants of Concern Receive final approval and / or comments from USEPA Respond to comments as required. Finalize Identification of Sensitive Areas and Pollutants of Concern Report and resubmit final report to USEPA as required.	Respond within 60 days of receiving comments	On-going, On schedule
Consent Decree V.A.14e: Rainfall and Flow Monitoring	March 2016 through March 2017	Continue Rainfall and Flow Monitoring Continue rainfall and flow monitoring plan.	12 months of flow monitoring	On-going, Flow monitoring started March 18, 2016 based
Consent Decree V.A.13: Alternatives Evaluation Approach	July 2016 thru September 2016	Alternatives Evaluation Approach Receive final approval and / or comments from USEPA Respond to comments as required. Finalize Alternatives Evaluation Approach Report and resubmit final report to USEPA as required.	Respond within 60 days of receiving comments	On-going, On schedule
LTCPU CD V.A.18: Financial Capabilities Assessment	July 2016 thru September 2016	Draft Financial Capabilities Assessment (FCA) Receive final approval and / or comments from USEPA Respond to comments as required. Finalize Draft Financial Capabilities Assessment (FCA) and resubmit final report to USEPA as required.	Respond within 60 days of receiving comments	On-going, On schedule

TABLE 3 WORK COMPLETED WITHIN THE SIX-MONTH PERIOD AND TO BE COMPLETED IN THE NEXT SIX-MONTH PERIOD				
Reference	Work Completed Date	Project/Activity/Request	Deadline in CD/NMC	Status/Comment (Met Requirement or any Non- Compliance)
Consent Decree V.A.17: Public Participation Plan	July 2016 thru December 2016	Public Participation Plan Continue to hold Stakeholders meetings with CEP. Submit meeting notes, responsive summary and presentation to USEPA. Continue to develop Website and newsletter and off-line repository Binder. Deliver Binders to off-line repositories.	2/17/19	On-going, On schedule
Consent Decree V.A.14: Hydrologic and Hydraulic Model (H&H Model) Update and Calibration Plan	July 2016 thru December 2016	H&H Model Update Review existing flow meter data. Collection system model update and construction. Update, calibrate and validate H&H Model.		On-going, On schedule
Consent Decree V.A.15: Water Quality Model Plan	July 2016 thru December 2016	Water Quality Model Plan Develop Water Quality Monitoring and Modeling Work Plan and Water Quality Assurance Project Plan (QAPP) .	Within 90 days after approval of the Alternatives Evaluation Approach	On-going, On schedule

Summary of All Contacts with the EPA and the PADEP

TABLE 4 USEPA / PADEP CORRESPONDENCE LOG (1/1/2016 – 6/30/2016) DELCORA SEMIANNUAL REPORT

DELCORA SEMIANNUAL REPORT									
Date of Letter	er Description		Response Required	Date of PADEP Response	Date of EPA Response	Notes			
1/29/16	DELCORA letter to USEPA submitting Revised Report for Public Participation Plan	1	YES	2/18/16	2/18/16	See Control No 4			
2/5/16	Email - Received comments from PADEP on the Public Participation Plan	2	YES			See Control No. 4			
2/12/16	DELCORA letter to USEPA submitting Final Report for Identification of Sensitive Areas and Pollutants of Concern	3	YES	3/24/16	3/24/16	See Control No. 7			
2/18/16	USEPA letter to DELCORA transmitting Concerns and Comments on the Public Participation Plan	4	YES			See Control No 8			
2/25/16	Email from DELCORA transmitting USEPA comments to team: Approval of the H&H Model and revisions required to the Typical Hydrological Year Plan.	5	YES			See Control No. 6			
3/1/16	USEPA letter providing approval of the Hydrologic and Hydraulic Model Update and Calibration Plan	6	NO			Subject: Civil Action 2:15-cv-04652-RB From Andrew F. Seligman			
3/24/16	USEPA letter to DELCORA transmitting Concerns and Comments on the Identification of Sensitive Areas and Pollutants of Concern Report	7	YES			See Control No. 15			
3/30/16	Email from DELCORA to the team transmitting USEPA Disapproval of the Typical Hydrologic Period Report	8	YES			Email From Michael J.DiSantis DELCORA to resubmit report See Control No. 11			
4/14/16	DELCORA letter to USEPA submitting revised Final Report for Public Participation Plan	9	YES	4/28/16	4/28/16	See Control No. 13			
4/27/16	DELCORA letter to USEPA submitting Alternative Final Evaluation Approach Report	10	YES			Subject: Civil Action Number Case 2: 15-cv-04652- RB & DOJ Case Number 90-5-1-1-10972 Consent Decree Alternatives Evaluation Approach Report – Final From Michael J. DiSantis			
4/28/16	DELCORA letter to USEPA submitting revised Final Report for Typical Hydrologic Period Report	11	YES	5/23/16	5/23/16	See Control No 16			
4/28/16	DELCORA letter to USEPA submitting Public Meeting No. 1 Notes	12	NO			Subject: Civil Action Number Case 2: 15-cv-04652- RB & DOJ Case Number 90-5-1-1-10972 Report – Public Meeting No. 1 Notes From Michael J. DiSantis			

TABLE 4 USEPA / PADEP CORRESPONDENCE LOG (1/1/2016 – 6/30/2016) DELCORA SEMIANNUAL REPORT

Date of Letter	Description	Control No.	Response Required	Date of PADEP Response	Date of EPA Response	Notes
4/28/16	USEPA letter providing approval of the Public Participation Plan	13	NO			Subject: Civil Action 2:15-cv-04652-RB From Andrew F. Seligman
5/13/16	DELCORA letter to USEPA submitting Draft Financial Assessment Report	14	YES			Subject: Civil Action Number Case 2: 15-cv-04652- RB & DOJ Case Number 90-5-1-1-10972 Draft Financial Capability Assessment Report From Michael J. DiSantis
5/18/16	DELCORA letter to USEPA submitting Updated Identification of Sensitive Areas and Pollutants of Concern Report	15	YES			Subject: Civil Action Number Case 2: 15-cv-04652- RB & DOJ Case Number 90-5-1-1-10972 Consent Decree Updated Identification of Sensitive Areas and Pollutants of Concern Report to Address USEPA Comments
5/23/16	USEPA letter providing approval of the Typical Hydrologic Period Report	16	NO			Subject: Civil Action 2:15-cv-04652-RB From Andrew F. Seligman
6/17/16	DELCORA letter to USEPA requesting extension of deadline to place the new EPS-1 Pump Station into operation to December 31, 2019	17	YES			Subject: Civil Action Number Case 2: 15-cv-04652- RB & DOJ Case Number 90-5-1-1-10972 From Michael J. DiSantis
6/17/16	DELCORA letter to USEPA requesting clarification on the due date to provide the results and quality of Rainfall and Flow Monitoring Data	18	YES			Subject: Civil Action Number Case 2: 15-cv-04652- RB & DOJ Case Number 90-5-1-1-10972 From Michael J. DiSantis
6/21/16	DELCORA letter to USEPA requesting clarification on the due date to provide the results and quality of Rainfall and Flow Monitoring Data – Correction to the letter to USEPA dt 06-17-16	19	YES			Subject: Civil Action Number Case 2: 15-cv-04652- RB & DOJ Case Number 90-5-1-1-10972 Correction From Michael J. DiSantis

NOTES:
1. Copies of Correspondence are in Appendix 2

Summary of any Exceedances of NPDES Permit Limitations

	TABLE 5 SUMMARY OF ANY EXCEEDANCES OF NPDES PERMIT LIMITATIONS DELCORA PERMIT NO. PA0027103 A3									
Date										
	(NONE)									

NOTES:

- Copy of Report is in Appendix 3
 WRTP DELCORA Western Regional Treatment Plant

Summary of All CSOs, SSOs and Unpermitted Discharges Occurring within the Six-Month Period

TABLE 6 SUMMARY OF ALL CSOs, SSOs and UNPERMITTED DISCHARGES OCCURRING WITHIN THE SIX-MONTH PERIOD (1/1/2016 – 6/30/2016)

DELCORA Permit No. PA0027103

Date of Occurrence	Location	Event	Frequency	Duration	Volume	Comment
2/16/16	Central Delaware PS	SSO	Once	Start time – 2/16/16 at approx. 1:38 PM. Ended 2/16/16 at 2:01 PM	Unknown	Report sent 2/17/16, within 5 days of occurrence. Called PADEP on 2/16/16, day of occurrence.
2/18/16	CSO #004 Front and Hayes	CSO	Once	Start time – Unknown. Ended 2/18/16 at 7:35 AM	Unknown	Report sent 2/18/16 same day as occurrence and within 5 days. Called PADEP on 2/18/16, day of occurrence.
2/26/16	CSO #007 - Rainey St.	CSO	Once	Started on 2/26/16 at approx. 1:00 PM during temporary failure of interceptor pumping and ended when switched to another working pump at 2:55 PM on 2/26/16.	Unknown	Report sent 2/29/16, within 5 days of occurrence. Called PADEP on 2/26/16, day of occurrence.
3/11/16	Manhole #995 near 12 th and Parker	SSO	Once	Start time – Unknown. Ended 3/11/16 at 4:45 PM	Unknown	Report sent 3/14/16, within 5 days of occurrence. Called PADEP on 3/11/16, day of occurrence
4/26/16	3201 W. Front Street (WRTP)	SSO	Once	The incident happened at approximately 10:30 PM on 4/26/16 and ended at approximately 1:00 AM on 4/27/16	Unknown	PRF gravity line overflow. Report sent 5/2/16, within 5 days; Called PADEP on 4/26/16, day of occurrence
5/17/16	Park Valley Ln into wooded area. DELCORA Pipeline segment 3417	SSO	Once	Start time – Unknown. Ended approx. 1:00 PM on 5/17/16	Unknown	Report sent 5/18/16, within 5 days, Called PADEP on 5/17/16, day of occurrence
5/30/16	Central Delaware PS	SSO	Once	Start time – approx. 3:45 AM on 5/30/16. Ended approx. 5:35 AM on 5/30/16	Unknown	Report sent 5/31/16, within 5 days of occurrence. Called PADEP on 5/30/16, day as occurrence
5/31/16	Bridle Way PS	SSO	Once	Start time – Unknown, overflow observed around 7:30 AM on 5/31/16. Ended 5/31/16 approx. 8:00 AM	Unknown	Report sent 5/31/16 same day as occurrence and within 5 days.

- | | Ended 5/31/16 approx. 8:00 AM |
 | DWO Dry Weather Overflow; SSO Sanitary Sewer Overflow; CSO Combined Sewer Overflow
- 2. Copy of Reports are in Appendix 4

Appendix 1

Additional Correspondence



Pennsylvania Fish & Boat Commission

Division of Environmental Services

Natural Diversity Section 450 Robinson Lane Bellefonte, PA 16823 814-359-5237

December 22, 2015

IN REPLY REFER TO

SIR# 45340

Greeley & Hansen Marlene Finizio 1700 Market Street Philadelphia, Pennsylvania 19103

RE: Species Impact Review (SIR) – Rare, Candidate, Threatened and Endangered Species PNDI Search No.

Delaware County Regional Water Quality Authority
CSO Long Term Control Plan Update
Delaware County

Dear Ms. Finizio:

This responds to your inquiry about a Pennsylvania Natural Diversity Inventory (PNDI) Internet Database search "potential conflict" or a threatened and endangered species impact review. These projects are screened for potential conflicts with rare, candidate, threatened or endangered species under Pennsylvania Fish & Boat Commission jurisdiction (fish, reptiles, amphibians, aquatic invertebrates only) using the Pennsylvania Natural Diversity Inventory (PNDI) database and our own files. These species of special concern are listed under the Endangered Species Act of 1973, the Wild Resource Conservation Act, and the Pennsylvania Fish & Boat Code (Chapter 75), or the Wildlife Code.

Based on records maintained in the Pennsylvania Natural Diversity Inventory (PNDI) database and our own files, the following rare or protected species are known from the vicinity of the project site:

Common Name (Scientific Name, PA Status)

Atlantic Sturgeon (*Acipenser oxyrinchus*, Endangered) Shortnose Sturgeon (*Acipenser brevirostrum*, Endangered) Eastern Redbelly Turtle (*Pseudemys rubriventris*, Threatened)

The Shortnose and Atlantic Sturgeon, which are listed by both Pennsylvania and the U.S. Fish and Wildlife Service/National Marine Fisheries Service, occur in the Delaware River. They are especially vulnerable to physical (dredging, rip-rap, etc.) and chemical (pH, dissolved oxygen, temperature, heavy metals, and organic contaminants) changes to the aquatic environment. Although the mobile adults of these protected fish species may be capable of moving from the project area, their spawning grounds (including eggs, larvae, and immature fish) are vulnerable to burial, crushing by equipment, and siltation

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from construction projects. In-stream activities during their spawning period may also disrupt the adults' reproductive behavior. Both Atlantic Sturgeon and Shortnose Sturgeon adults and juveniles may also forage and migrate through the proposed project area and could be adversely impacted by the proposed project.

The Eastern Redbelly Turtle is one of Pennsylvania's largest native aquatic turtles. This turtle species is known to inhabit relatively large, deep streams, rivers, ponds, lakes, and marshes with permanent water and ample basking sites. Redbelly turtles are documented in the Delaware River, Darby Creek, Crum Creek, Ridley Creek, and Chester Creek within the project area. They can be found in deep, slow water habitats in the creeks, as well as impoundments and nearby ponds and lakes. The existence of this turtle species is threatened by habitat destruction, poor water quality and competition with aggressive non-native turtle species that share its range and habitat (e.g. red-eared slider).

Additionally, in response to your request, we recommend that you access county information on our website, at http://fishandboat.com/county.htm for locations of public boat launches on Darby Creek and the Delaware River.

This response represents the most up-to-date summary of the PNDI data and our files and is valid for two (2) years from the date of this letter. An absence of recorded species information does not necessarily imply species absence. Our data files and the PNDI system are continuously being updated with species occurrence information. Should project plans change or additional information on listed or proposed species become available, this determination may be reconsidered, and consultation shall be reinitiated.

If you have any questions regarding this review, please contact Kathy Gipe at 814-359-5186 and refer to the SIR # 45340. Thank you for your cooperation and attention to this important matter of species conservation and habitat protection.

Sincerely,

Christopher A. Urban, Chief Natural Diversity Section

Partordier (lulum

CAU/KDG/dn

Cc: John Buzzar, PFBC



Pennsylvania Fish & Boat Commission

Division of Environmental Services

Natural Diversity Section 450 Robinson Lane Bellefonte, PA 16823 814-359-5237

June 13, 2016

IN REPLY REFER TO

SIR# 45340

Greeley & Hansen Marlene Finizio 1700 Market Street Philadelphia, Pennsylvania 19103

RE: Species Impact Review (SIR) – Rare, Candidate, Threatened and Endangered Species Delaware County Regional Water Quality Authority: CSO Long Term Control Plan Update
CHESTER County with Chester City Focus Area

Dear Ms. Finizio:

This responds to your inquiry about a Pennsylvania Natural Diversity Inventory (PNDI) Internet Database search "potential conflict" or a threatened and endangered species impact review. These projects are screened for potential conflicts with rare, candidate, threatened or endangered species under Pennsylvania Fish & Boat Commission jurisdiction (fish, reptiles, amphibians, aquatic invertebrates only) using the Pennsylvania Natural Diversity Inventory (PNDI) database and our own files. These species of special concern are listed under the Endangered Species Act of 1973, the Wild Resource Conservation Act, and the Pennsylvania Fish & Boat Code (Chapter 75), or the Wildlife Code.

As stated in our prior correspondence, the following rare or protected species are known from the vicinity of the project site:

Common Name (Scientific Name, PA Status)

Atlantic Sturgeon (*Acipenser oxyrinchus*, Endangered) Shortnose Sturgeon (*Acipenser brevirostrum*, Endangered) Eastern Redbelly Turtle (*Pseudemys rubriventris*, Threatened)

Within the focus area of Chester City, the entire portion of the Delaware River can be considered habitat for all three species. More specifically, it provides foraging, spawning, and nursery habitat for the Sturgeon, and foraging and potential brumation (overwintering) habitat for the Eastern Redbelly Turtle. All three species could additionally occur in the tributary streams (Chester and Ridley Creeks); however, these are considered transient habitats rather than critical to life history.

Our Mission: www.fish.state.pa.us

Given that this project plans has the goal of water quality improvement and includes no direct instream disturbance at this time, then I do not anticipate the proposed activity to have any significant adverse impacts to the fish or turtle species of special concern.

This response represents the most up-to-date summary of the PNDI data and our files and is valid for two (2) years from the date of this letter. An absence of recorded species information does not necessarily imply species absence. Our data files and the PNDI system are continuously being updated with species occurrence information. Should project plans change or additional information on listed or proposed species become available, this determination may be reconsidered, and consultation shall be reinitiated.

If you have any questions regarding this review, please contact Kathy Gipe at 814-359-5186 and refer to the SIR # 45340. Thank you for your cooperation and attention to this important matter of species conservation and habitat protection.

Sincerely,

Christopher A. Urban, Chief Natural Diversity Section

Chirtophen Cl. Celam

CAU/KDG/dn

Appendix 2

Notification Letters



January 29, 2016

FED EX - NEXT DAY

Chief, Environmental Enforcement Section Environment and Natural Resources Division U.S. Department of Justice 601 D Street NW Washington, DC 20004 Philip Yeany Office of Regional Counsel (3RC20) U.S. EPA, Region 3 1650 Arch Street Philadelphia, PA 19103-2029

Chief
NPDES Enforcement Branch (3WP42)
Water Protection Division
U.S. EPA, Region 3
1650 Arch Street
Philadelphia, PA 19103-2029

Program Manager – Clean Water Program PA DEP Southeast Regional Office 2 East Main Street Norristown, PA 19401

RE: Civil Action Number Case 2:15-cv-04652-RB & DOJ Case Number 90-5-1-1-10972 Public Participation Plan Report (Final) – Revised 1/2016

Dear Sir/Madam:

By this letter, the Delaware County Regional Water Quality Control Authority is enclosing a revised copy of the above mentioned report in accordance with the requirements of the Consent Decree and as discussed at our meeting on January 26, 2016 at the USEPA Philadelphia office.

If there are any questions, please contact me. Thank you.

Sincerely,

Michael J. DiSantis

Director of Operations & Maintenance

MJD:bab enclosure

ADMINISTRATION
☐ 610-876-5523
☐ FAX: 610-876-2728

CUSTOMER SERVICE/BILLING ☐ 610-876-5526

☐ 610-876-5523 ☐ FAX: 610-497-7959

PURCHASING & STORES

PLANT & MAINTENANCE
☐ 610-876-5523
☐ FAX: 610-497-7950

37.

☐ FAX: 610-876-1460

USDOJ/USEPA/PADEP Public Participation Plan Report (Final) – rev. 1/2016 January 29, 2016 page 2

cc: via email w/o enclosure
Margaret Hill, Blank Rome
Marlene Finizio, Greeley and Hansen
Michael Hope, Greeley and Hansen
Michael DiSantis, DELCORA
John Pileggi, DELCORA
Robert Willert, DELCORA
File – Consent Order – LTCP CSO

Federal 8082 5253 1800

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Phone (610) 876-5523

Company DELCORA

Address 100 E 5TH ST FL 2

Dept/Floor/Suite/Boom

City CHESTER

State PA ZIP 19013-4508

2 Your Internal Billing Reference

LTCP - Public Participation Plan

3 To Recipient's

Report - rev 1/2016

Chief, Environmental

Phone (202) 514-2757

Environment & Natural Resources Division

Enforcement Section

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Finizio, Marlene

From: DiSantis, Michael <disantism@delcora.org>

Sent: Friday, February 05, 2016 8:32 AM

To: mhill@blankrome.com; Willert, Robert; Pileggi, John; Bothwell, Ed; Finizio, Marlene; Hope,

Michael

Subject: FW: DELCORA Public Participation Plan

To All:

FYI, please see below.

Mike

From: Fields, Jenifer [mailto:jefields@pa.gov] **Sent:** Friday, February 05, 2016 8:27 AM

To: DiSantis, Michael

Subject: FW: DELCORA Public Participation Plan

Mike.

I am forwarding to you the comments that DEP had regarding the Public Participation Plan. It's my understanding that Andrew Seligman will be coordinating a formal letter response but due to the proposed schedule to implement the plan, I wanted Delcora to have as much time as possible to consider these comments. I have not spoken with EPA about these comments, and they may or may not make the final cut. Most are clarifications or improvements to inclusion. Jen

Jenifer Fields, P.E. | Environmental Program Manager

Department of Environmental Protection | Southeast Regional Office

2 E. Main Street | Norristown, PA 19401 Phone: 484.250.5192 | Fax: 484.250.5971

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The following are the DEP's comments to EPA on the Public Participation Plan.

Executive Summary:

- Background
 - The second paragraph of the background section mistakenly gives the DEP the acronym USEPA.
- Purpose
 - Consider changing i: "Address the impact of DELCORA's CSOs and LTCP on environmental justice populations" to "environmental justice communities."
 - Consider changing vi: "The plan..." to "Include a schedule for DELCORA's implementation of the plan."
- Public and Stakeholder Meetings
 - In the last paragraph which discusses a concerted effort to be made to make the public aware of the LTCPU development process, it would be helpful to identify where the materials will be distributed- for example- community centers, places of worship, and municipal buildings, etc.

Section 1.3 Public Participation Plan Overview

• Who are these "key decision makers" that DELCORA plans to involve? Where are they coming from and what constituencies do they represent?

Section 2.4: Responsiveness Summary

In addition to being posted on the website, and being made available at subsequent meetings, an offline repository should be considered. This could potentially be at a municipal building or a public library. For the broadest possible reach to stakeholders, DEP typically uses both municipal buildings and libraries. In general, the plan relies a little too heavily on internet or web-based information exchange.

- Subsequent meetings should include a review of (not just provide) the prior meeting's "responsiveness summary."
- It may be worth considering having each of the meetings digitally streamed or have them viewable at all four locations. This may provide for continuity of thought and community involvement.

Section 2.6, Page 2-4:

Paragraph 2 states, "...public's input will be 'actively solicited'. How? With how much notice? It is important for "active participation" in the meetings, for participants to receive materials to be presented in advance of the meeting. In order for the participation to truly be active, they should add this to their proposal and advise people that there will be a questions, comments and ideas opportunity at each meeting.

Similarly, <u>Attachment A</u> shows their proposed timeline. They receive public comments from the website for an additional 30 days, which is good...however I didn't see anywhere that mentioned how residents could submit comments through mail. It is very important that an offline option is at least provided, even if not utilized by the public. Even better, it would be very transparent for any non-web comments to be written into the website one received so all comments received are located in one place.

If the first public meeting is planned to be used to brief the public there should be a document available well in advance of the meeting since this is merely historical information.

Page 4-2:

The report says the website tab that houses all this information will be called 'DELCORA CSO LTCPU'. This may (and will likely) be confusing to 'average citizens'. They should consider naming the tab something easier, more straightforward and with less of an acronym. Based on the screenshots they provided, it also is not clear where to find the info. Even a banner ad on the home page would be helpful, or a large button that clearly directs people to the clearinghouse section.....Community Involvement, Public Participation, Public Information, etc are all suggestions. Will the website provide a means for interested parties to sign up to receive the newsletter?

Page 4-2:

The mailing list they suggest is not clearly defined. This should be a hardcopy/USPS newsletter as well as a digital subscription. Sign-in sheets at the public meetings could include a box to check whether you want to be mailed or emailed the newsletter, or to not receive it at all. Providing residents the information through their own personal preferred method ensures better understanding and participation in the process.

Attachment B1, Slideshow

The tone of the PowerPoint for example- "EPA took 10 years to review this", or "EPA is *targeting* systems" may distract interested parties from meaningful conversation about the plan development. Also, On slide 8- I believe the information is incorrect. There is no Consent Decree between EPA and Philadelphia. On slide 11, did DOJ make the comment in the last bullet? If it isn't in writing somewhere, it probably should be excluded.

Attachment B3, sample press release

The sample press release should mention that the settlement is with both EPA and DEP.

<u>In general</u>, Cut down on the use of acronyms, in all documents and presentations with the public. Along with the agendas, consider printing a glossary on the back side to help those following along with presentations where acronyms are used.

Jenifer Fields, P.E. | Environmental Program Manager Department of Environmental Protection | Southeast Regional Office 2 E. Main Street | Norristown, PA 19401 Phone: 484.250.5192 | Fax: 484.250.5971

www.depweb.state.pa.us

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Chief, Environmental Enforcement Section Environment and Natural Resources Division U.S. Department of Justice 601 D Street NW Washington, DC 20004 Philip Yeany Office of Regional Counsel (3RC20) U.S. EPA, Region 3 1650 Arch Street Philadelphia, PA 19103-2029

Chief NPDES Enforcement Branch (3WP42) Water Protection Division U.S. EPA, Region 3 1650 Arch Street Philadelphia, PA 19103-2029 Program Manager – Clean Water Program PA DEP Southeast Regional Office 2 East Main Street Norristown, PA 19401

RE: Civil Action Number Case 2:15-cv-04652-RB & DOJ Case Number 90-5-1-1-10972

Consent Decree

Identification of Sensitive Areas and Pollutants of Concern

Report – Final

Dear Sir/Madam:

By this letter, the Delaware County Regional Water Quality Control Authority is enclosing a copy of the above mentioned report in accordance with the requirements of the Consent Decree.

If there are any questions, please contact me. Thank you.

Sincerely,

Michael J. DiSantis

Director of Operations & Maintenance

MJD:bab enclosure

ADMINISTRATION
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☐ FAX: 610-876-2728

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☐ FAX: 610-497-7959

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610-876-5523

FAX: 610-497-7950

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USDOJ/USEPA/PADEP Identification of Sensitive Areas & Pollutants of Concern Report - Final February 12, 2016 page 2

cc: via email

Margaret Hill, Blank Rome Marlene Finizio, Greeley and Hansen Michael Hope, Greeley and Hansen Michael DiSantis, DELCORA John Pileggi, DELCORA Robert Willert, DELCORA File – Consent Order – LTCP CSO M. J. DiSantis

Sender's

Name

8082 5253 2266

Phone (610) 876-5523

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION III

1650 Arch Street Philadelphia, Pennsylvania 19103-2029



FEB 18 2016

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cc: RJW,MJD,
 E. Bothwell

J. Pileggi

Peg Hill Greeley-Hansen:

M. Finizio

М. Норе

Mr. Robert Willert, Executive Director Delaware County Regional Quality Control Authority 100 East Fifth Street Chester, PA 19013

RE: Civil Action 2:15-cv-04652-RB

Public Participation Plan

Dear Mr. Willert:

Thank you for the Public Participation Plan (PPP) that the Delaware County Regional Quality Control Authority (DELCORA) sent to the United States Environmental Protection Agency (EPA) on January 29, 2016. EPA has reviewed the PPP and, as part of the PPP review process, consulted with the Pennsylvania Department of the Environment (PaDEP). We have the following comments and concerns. EPA is unable to approve the PPP until the following concerns are responded to and addressed in the PPP:

Concerns

3

Executive Summary: Public and Stakeholder Meetings

The last paragraph, which discusses a concerted effort to make the public aware of the LTCPU development process, does not identify where the materials will be distributed- for example- community centers, places of worship, and municipal buildings, etc. Please identify where DELCORA will distribute the materials.

Section 1.3: Public Participation Plan Overview

Please identify all the "key decision makers" that DELCORA plans to involve and what constituencies they represent.

Section 2.3: Facilities Description and Location

Because of the impacts that the chosen alternatives may have on the City of Chester, the third or fourth public meeting should take place in the City.

Section 2.4: Responsiveness Summary

In addition to posting the summaries on the website and making them available at subsequent meetings, DELCORA needs to consider creating an offline repository for them. This could potentially be at a municipal building or a public library. For the broadest possible reach to stakeholders, PaDEP typically

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uses both municipal buildings and libraries. While relying on the on the internet and web to for information exchange is extremely important, DELCORA needs to provide a medium needs for people who may not have internet access. Finally, subsequent public meetings should include a review of the prior meeting's "responsiveness summary".

Section 2.6: Public Meeting Descriptions,

DELCORA needs to provide more details on how it intends to ask for the public's input at the four public meetings. For example, on Page 2-4, Paragraph 2 states, that "...the public's input will be "actively solicited." How does DELCORA plan to actively solicit the public's input? How much time will the public receive in order to participate? DELCORA should advise people ahead of the meetings that there will be an opportunity at each meeting to ask questions and to present comments and ideas. Also, for the public's active participation in the meetings, it is important, for participants to receive the materials that DELCORA will present at the meeting in advance. In addition, if the first public meeting is planned to be used to brief the public, there should be a document available well in advance of the meeting since this is merely historical information.

Section 4.2.3: CSO Newsletters

The mailing list DELCORA suggests is not clearly defined. This should be a hardcopy/USPS newsletter as well as a digital subscription. Sign-in sheets at the public meetings could include a box to check whether you want to be mailed or emailed the newsletter, or to not receive it at all. Providing residents the information through their own personal preferred method ensures better understanding and participation in the process.

Attachment A: Implementation Schedule

The proposed timeline shows DELCORA receiving public comments after the public meetings through the website. Public participants should also be able to submit comments through the mail in addition to providing comments through the website. Even if it is not utilized by the public, it is very important that an offline option is at least available.

Attachment B1, Slideshow

The tone of the references to EPA in the slideshow are inappropriate and should be deleted. For example, the references that "EPA took 10 years to review the 1999 plan" or "The EPA has been systematically . . . targeting wastewater systems" are irrelevant to and may distract interested parties from any meaningful conversation about the plan development. Also, on slide 8, the information is incorrect. There is no Consent Decree between EPA and Philadelphia.

Attachment B3: Sample Press Release

The sample press release should state that the settlement is with both EPA and DEP.

Please provide responses to the following comments:

Comments

In order to make it easier for the public to understand the documents, please consider printing a glossary on the back side to help those following along with presentations where acronyms are used.

In the Executive Summary, the second paragraph of the background section mistakenly gives the PaDEP the acronym USEPA. In the Purpose section, consider changing item *i* on page ES2 from "Address the impact of DELCORA's CSOs and LTCP on environmental justice populations" to "Address the impact of DELCORA's CSOs and LTCP on environmental justice communities."

In Section 2.5, would it be possible to have each of the public meetings digitally streamed? This may provide for maximum community involvement.

In Section 4.2.2., the PPP says that the website tab which houses all this information will be called "DELCORA CSO LTCPU". This may (and will likely be confusing to average citizens. DELCORA should consider naming the tab something easier, more straightforward and with less of an acronym. In addition, based on the screenshots DELCORA provided of its CSO website, it is not clear where to find the information. A banner ad on the home page would be helpful. Another possibility is a large button that clearly directs people to the clearinghouse section. It could be labelled Community Involvement, Public Participation, Public Information, etc. Finally, will the website provide a means for interested parties to sign up to receive the newsletter?

Please resubmit the Public Participation Plan after addressing the above concerns and responding to comments. Please feel free to contact me at 215-814-2097 if you have any questions.

Sincerely.

Andrew F. Seligman, Environmental Scientist

Water Enforcement Branch

cc: R. Smolski, EPA
P. Yeany, EPA
M. DeSantis, DELCORA
J. Fields, PADEP
S. O'Neil, PADEP

Finizio, Marlene

From: DiSantis, Michael <disantism@delcora.org>
Sent: Thursday, February 25, 2016 2:14 PM

To: Bothwell, Ed; Pileggi, John; Centrone, Joe; Hope, Michael; Finizio, Marlene; Roger Lehman;

Isler,Lindsey

Cc: Willert, Robert; Peg Hill

Subject: Feedback from EPA on H&H Model and Typical Hydrological Year Submittals

EPA has informed me that they will be approving the H&H model but have some questions and will require some revisions to the Typical Hydrological Year. I have set up a conference call with Andrew Seligman of EPA for the beginning of our next progress meeting on 3/2 so the team can hear his concerns and questions with the goal of hopefully resolving the issues at that time. Andrew gave me a few examples - section 2.1 where 6 hours between events is used and the CD requires 12 hours. Another example is where we state 10 year event we mean 10 year storm. Overall, the issues seem to be ones that can be resolved without undue hardship. While I asked Andrew to put a bullet list together of concerns prior to our meeting, he said his schedule may not allow him to get this done.

Any questions, please contact me.

Thanks

Michael J. DiSantis
Director of Operations and Maintenance
DELCORA
P.O. Box 999
Chester, PA 19016
Office - 610.876.5523 ext. 264
Fax - 610.497.7951
disantism@delcora.org
www.delcora.org



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

MAR 01 2016

Mr. Robert Willert, Executive Director Delaware County Regional Quality Control Authority 100 East Fifth Street Chester, PA 19013

RE: Civil Action 2:15-cv-04652-RB

Dear Mr. Willert:

The United States Environmental Protection Agency (EPA) has received the Delaware County Regional Quality Control Authority (DELCORA) Hydrologic and Hydraulic Model Update and Calibration Plan. EPA has consulted with the Pennsylvania Department of the Environment (PaDEP).

EPA hereby approves the plan with the understanding that the term "two days" as stated in paragraph 5.1.2.1 (Dry Weather Overflow Analysis) shall mean 48 hours.

Thank you for your continued cooperation with this matter. Please do not hesitate to contact me at (215)814-2097 if you have any questions.

Sincerely,

Andrew F. Seligman, Environmental Scientist

Water Enforcement Branch

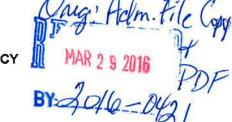
cc: R. Smolski, EPA P. Yeany, EPA

M. DeSantis, DELCORA



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION III 1650 Arch Street

1650 Arch Street Philadelphia, Pennsylvania 19103-2029



MAR 2 4 3016

cc via email: LTCP group

Mr. Robert Willert, Executive Director Delaware County Regional Quality Control Authority 100 East Fifth Street Chester, PA 19013

RE: Civil Action 2:15-cv-04652-RB

Dear Mr. Willert:

The United States Environmental Protection Agency (EPA) has received the Delaware County Regional Quality Control Authority (DELCORA) Identification of Sensitive Area Analysis (ISAA). EPA has consulted with the Pennsylvania Department of the Environment (PaDEP). EPA is unable to approve the ISAA until the following concerns are addressed:

Intro:

Page 1-4 Last paragraph indicates "DELCORA's operating policy limits this flow to 13.3 MGD." This is inconsistent with the third paragraph on page 1.1.

Sensitive Areas:

- The report indicates that the CSO Control Policy defines sensitive areas to include "waters with threatened or endangered species <u>or</u> their designated critical habitat". The report indicates that the area studied does not include critical habitat for Atlantic Sturgeon and Shortnose Sturgeon so the tidal Delaware would not be considered a sensitive area. This appears to be an incorrect interpretation of the sensitive area definition because it does include "waters with". It is also proposed to include critical habitat
- The report indicates that PF&BC did not provide a response to Greeley and Hansen's letter regarding sensitive areas. PF&BC responded in a letter dated 12/22/2015. Atlantic Sturgeon (Pa Endangered, Federal Threatened), Shortnose Sturgeon (Pa Endangered, Federal Endangered), and Eastern Redbelly Turtle (Pa Threatened) are all found within DELCORA CSO influenced waters. Based on this information, in accordance with EPA's CSO Control Policy, the tidal Chester Creek, Ridley Creek and tidal Delaware should be considered sensitive areas.
- NOAA will be publishing a proposed rule designating critical habitat for the New York Bight
 Distinct Population Segment of Atlantic Surgeon (includes Delaware Bay/River population) on
 May 27, 2016. For Pennsylvania, the draft critical habitat designation includes the Delaware River
- Printed on 100% recycled/recyclable paper with 100% post-consumer fiber and process chlorine free.

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from Washington Crossing (RM 142) downstream to the Pa/De state line (RM 79), excluding the area around the Naval Yard Complex in Philadelphia. This would encompass tidal waters influenced by DELCORA's CSO outfalls (personal communication, Greg Murphy, PF&BC Area 6 Fisheries Management).

- PF&BC Area 6 fisheries biologists encountered large numbers of young-of-year American Shad in the tidal Chester Creek during their last survey, indicating that this area may serve as an important nursery for this migratory fish species. This data illustrates the potential for added environmental significance for the tidal Chester Creek.
- EPA and PaDEP agree with DELCORA's recommendation of including the non-tidal Ridley below CSO #33 as a priority area. This reach of creek is within a park (good public access), is TSF, and is utilized by fisherman.
- The fishing pier and boat ramp owned by the Chester County Economic Development Authority should be considered priority areas because of their importance as public access areas to the river, and has potential for secondary water contact (CSO's in close proximity to the boat ramp).
- NOAA's Emergency Response Division has produced updated Environmental Sensitivity Index (ESI) Maps for Delaware Bay (2014) http://response.restoration.noaa.gov/maps-and-spatial-data/download-esi-maps-and-gis-data.html. These maps were developed for referral during oil spills, but also provide valuable information on environmentally sensitive areas that EPA and PaDEP think Greeley and Hansen should have considered for this report.
- NOAA indicates in the report that the Delaware is attaining for recreational use based on DRBC sampling. DRBC is not sampling in the near-shore Delaware (for example the boat ramp that is bracketed by CSOs), and they would not be targeting CSO events. It seems reasonable that bacteria concentrations at DRBC's sample stations may not be representative of the Delaware along the Chester waterfront.

Pollutants of Concern:

- Similar to Fecal coliform, Enterococcus, and E.coli, Biological Oxygen Demand (BOD), and Total Suspended Solids (TSS) are primary pollutants typically associated with CSO discharges that do not have water quality criteria but can adversely impact in-stream dissolved oxygen concentrations. Philadelphia Water Department, utilizing continuous instream monitoring, has documented low dissolved oxygen conditions in the CSO influenced tidal Frankford Creek. DEP recommends that DELCORA includes BOD and TSS as Pollutants of Concern so they are included for further investigation and possible modeling. Additionally, DELCORA should consider continuous instream monitoring for dissolved oxygen in the tidal Chester and tidal Ridley Creeks. This data would provide valuable information on potential impacts associated with CSO organic enrichment on these tidal creeks.
- This comment pertains to the decision tree (Figure 3-3) and the discussion on page 3-26. EPA and PaDEP believe items 2 and 3 should be independent triggers for moving forward in the decision tree to "Detected in CSO Discharge Sampling?"

- On page 3-28, the 3rd paragraph indicates that PCBs were found to be at a lower level than the Reporting Detection Limit. However, it doesn't identify the test method used. Most of the discharges are using test method 1668a in order to quantify PCBs. That information might be in Attachment I but that font is too small making the entire chart unreadable.
- DELCORA did not sample for hardness in the tidal tribs (probably should have); nor did they sample for Al or Fe in the tidal tributaries. Al, Cu, Pb, and Fe are elevated above in-stream criteria in many of the discharge samples, but are not extreme. Please explain why these pollutants are not identified and Pollutants of Concern.

Sincerely,

Andrew F. Seligman, Environmental Scientist

Water Enforcement Branch

cc: R. Smolski, EPA

P. Yeany, EPA

M. DeSantis, DELCORA

Finizio, Marlene

From: DiSantis, Michael <disantism@delcora.org>
Sent: Wednesday, March 30, 2016 2:24 PM

To: Roger Lehman; Bothwell, Ed; Finizio, Marlene; Hope, Michael; Shah, Nishant; Pileggi, John

Subject: Fwd: Typical year "Typical Hydrologic Period Report Disapproval

Michael J. DiSantis
Director of Operations and Maintenance
DELCORA
P.O. Box 999
Chester, PA 19016
Office - 610.876.5523 ext. 264
Cell - 484.574.7704
Fax - 610.497.7951
disantism@delcora.org<mailto:disantism@delcora.org>
www.delcora.org<http://www.delcora.org>

Begin forwarded message:

From: "Seligman, Andrew" <Seligman.Andrew@epa.gov<mailto:Seligman.Andrew@epa.gov>>

Date: March 29, 2016 at 2:18:42 PM EDT

To: "DiSantis, Michael" < disantism@delcora.org < mailto: disantism@delcora.org >>

Cc: "Yeany, Philip" <Yeany.Philip@epa.gov>>, " O'Neil, Steve"

<stoneil@pa.gov<mailto:stoneil@pa.gov>>

Subject: Typical year "Typical Hydrologic Period Report Disapproval

Hi Mike,

This e-mail serves to tell you EPA is not able approve the subject report dates November, 2015. Given our recent discussions, it is my understanding DELCORA will be submitting a revised report sometime in April based on those discussions.

Please contact me if you have any questions.

Thank You
Andrew F. Seligman
Environmental Scientist & Enforcement Officer NDPES Enforcement Branch
1650 Arch Street, 3WP42
Philadelphia, Pennsylvania
19103
(215)814-2097

"The Wind and Waves are always on the side of the ablest Navigators" Edward Gibbon, English Historian 1734-1794

"There is no education like adversity" Benjamin Disraeli, British Prime Minister



April 14, 2016

FED EX – NEXT DAY

Chief, Environmental Enforcement Section

Environment and Natural Resources Division U.S. Department of Justice 601 D Street NW

Washington, DC 20004

Philip Yeany Office of Regional Counsel (3RC20) U.S. EPA, Region 3 1650 Arch Street Philadelphia, PA 19103-2029

Chief

NPDES Enforcement Branch (3WP42) Water Protection Division U.S. EPA, Region 3 1650 Arch Street Philadelphia, PA 19103-2029

Program Manager - Clean Water Program PA DEP Southeast Regional Office 2 East Main Street Norristown, PA 19401

RE:

Civil Action Number Case 2:15-cv-04652-RB

& DOJ Case Number 90-5-1-1-10972

Public Participation Plan Report (Updated April 2016)

Dear Sir/Madam:

By this letter, the Delaware County Regional Water Quality Control Authority is enclosing an updated copy of the above mentioned report in response to comments noted in the USEPA letter dated February 18, 2016.

If there are any questions, please contact me. Thank you.

Sincerely,

Michael J. DiSantis

Director of Operations & Maintenance

MJD:bab enclosure

ADMINISTRATION ☐ 610-876-5523 ☐ FAX: 610-876-2728 CUSTOMER SERVICE/BILLING ☐ 610-876-5526

☐ FAX: 610-876-1460

PURCHASING & STORES ☐ 610-876**-**5523 ☐ FAX: 610-497-7959

PLANT & MAINTENANCE ☐ 610-876-5523 ☐FAX: 610-497-7950

USDOJ/USEPA/PADEP Public Participation Plan Report (Updated April 2016) April 14, 2016 page 2

via email w/o enclosure
Margaret Hill, Blank Rome
Marlene Finizio, Greeley and Hansen
Michael Hope, Greeley and Hansen
Michael DiSantis, DELCORA
John Pileggi, DELCORA
Robert Willert, DELCORA
File – Consent Order – LTCP CSO

April 27, 2016

FED EX - NEXT DAY

Chief, Environmental Enforcement Section Environment and Natural Resources Division U.S. Department of Justice 601 D Street NW Washington, DC 20004 Philip Yeany Office of Regional Counsel (3RC20) U.S. EPA, Region 3 1650 Arch Street Philadelphia, PA 19103-2029

Chief
NPDES Enforcement Branch (3WP42)
Water Protection Division
U.S. EPA, Region 3
1650 Arch Street
Philadelphia, PA 19103-2029

Program Manager – Clean Water Program PA DEP Southeast Regional Office 2 East Main Street Norristown, PA 19401

RE:

Civil Action Number Case 2:15-cv-04652-RB

& DOJ Case Number 90-5-1-1-10972

Consent Decree

Alternatives Evaluation Approach Report – Final

Dear Sir/Madam:

By this letter, the Delaware County Regional Water Quality Control Authority is enclosing a copy of the above mentioned report in accordance with the requirements of the Consent Decree.

If there are any questions, please contact me. Thank you.

Sincerely,

Michael J. DiSantis

Director of Operations & Maintenance

MJD:bab enclosure

ADMINISTRATION

☐ 610-876-5523

☐ FAX: 610-876-2728

CUSTOMER SERVICE/BILLING
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PLANT & MAINTENANCE 610-876-5523 FAX: 610-497-7950

59 .

USDOJ/USEPA/PADEP Alternatives Evaluation Approach Report – Final April 27, 2016 page 2

cc: via email

Margaret Hill, Blank Rome

Marlene Finizio, Greeley and Hansen Michael Hope, Greeley and Hansen

Michael DiSantis, DELCORA John Pileggi, DELCORA Robert Willert, DELCORA

File - Consent Order - LTCP CSO



April 28, 2016

FED EX - NEXT DAY

Chief, Environmental Enforcement Section Environment and Natural Resources Division U.S. Department of Justice 601 D Street NW Washington, DC 20004 Philip Yeany Office of Regional Counsel (3RC20) U.S. EPA, Region 3 1650 Arch Street Philadelphia, PA 19103-2029

Chief
NPDES Enforcement Branch (3WP42)
Water Protection Division
U.S. EPA, Region 3
1650 Arch Street
Philadelphia, PA 19103-2029

Program Manager – Clean Water Program PA DEP Southeast Regional Office 2 East Main Street Norristown, PA 19401

RE: Civil Action Number Case 2:15-cv-04652-RB & DOJ Case Number 90-5-1-1-10972
Typical Hydrologic Period Report - Final (Updated April 2016)

Dear Sir/Madam:

By this letter, the Delaware County Regional Water Quality Control Authority is enclosing an updated copy of the above mentioned report in response to USEPA/PADEP concerns received February 25 and March 3, 2016.

If there are any questions, please contact me. Thank you.

Sincerely,

Michael J. DiSantis

Director of Operations & Maintenance

MJD:bab enclosure

ADMINISTRATION
☐610-876-5523
☐FAX: 610-876-2728

CUSTOMER SERVICE/BILLING ☐ 610-876-5526

☐ FAX: 610-876-1460

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☐ 610-876-5523

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☐ FAX: 610-497-7950

USDOJ/USEPA/PADEP Typical Hydrologic Period Report - Final (Updated April 2016) April 28, 2016 page 2

cc: via email w/o enclosure
Margaret Hill, Blank Rome
Marlene Finizio, Greeley and Hansen
Michael Hope, Greeley and Hansen
Ed Bothwell, DELCORA
Michael DiSantis, DELCORA
John Pileggi, DELCORA
Robert Willert, DELCORA
File – Consent Order – LTCP CSO



April 28, 2016

FED EX – NEXT DAY

Chief, Environmental Enforcement Section **Environment and Natural Resources Division** U.S. Department of Justice 601 D Street NW Washington, DC 20004

Philip Yeany Office of Regional Counsel (3RC20) U.S. EPA, Region 3 1650 Arch Street Philadelphia, PA 19103-2029

Chief NPDES Enforcement Branch (3WP42) Water Protection Division U.S. EPA, Region 3 1650 Arch Street Philadelphia, PA 19103-2029

Program Manager – Clean Water Program PA DEP Southeast Regional Office 2 East Main Street Norristown, PA 19401

Civil Action Number Case 2:15-cv-04652-RB & DOJ Case Number 90-5-1-1-10972 Report - Public Meeting No. 1 Notes

Dear Sir/Madam:

By this letter, the Delaware County Regional Water Quality Control Authority is enclosing a copy of the above mentioned report on Public Meeting No. 1 held on March 15, 2016.

If there are any questions, please contact me. Thank you.

Sincerely,

Michael J. DiSantis

Director of Operations & Maintenance

MJD:bab enclosure USDOJ/USEPA/PADEP Report - Public Meeting No. 1 Notes April 28, 2016 page 2

cc: via email w/o enclosure
Margaret Hill, Blank Rome
Marlene Finizio, Greeley and Hansen
Michael Hope, Greeley and Hansen
Ed Bothwell, DELCORA
Michael DiSantis, DELCORA
John Pileggi, DELCORA
Robert Willert, DELCORA
File – Consent Order – LTCP CSO



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

APR 28 2016

CERTIFIED MAIL

Mr. Robert Willert, Executive Director Delaware County Regional Quality Control Authority 100 East Fifth Street Chester, PA 19013

RE: Civil Action 2:15-cv-04652-RB

Dear Mr. Willert:

The United States Environmental Protection Agency (EPA) has received the revised Delaware County Regional Quality Control Authority (DELCORA) Public Participation Plan (PPP) dated April 14, 2016. EPA has consulted with the Pennsylvania Department of the Environment (PADEP). EPA accepts the revised PPP and therefore it is now approved.

Sincerely

Andrew F. Seligman, Environmental Scientist

Water Enforcement Branch

cc: R. Smolski, EPA
P. Yeany, EPA
M. DeSantis, DELCORA
Jen Field, PADEP, SERO

3



May 13, 2016

FED EX - NEXT DAY

Chief, Environmental Enforcement Section Environment and Natural Resources Division U.S. Department of Justice 601 D Street NW Washington, DC 20004 Re: DOJ No. 90-5-1-1-10972

Philip Yeany Office of Regional Counsel (3RC20) U.S. EPA, Region 3 1650 Arch Street Philadelphia, PA 19103-2029

Chief
NPDES Enforcement Branch (3WP42)
Water Protection Division
U.S. EPA, Region 3
1650 Arch Street
Philadelphia, PA 19103-2029

Program Manager – Clean Water Program PA DEP Southeast Regional Office 2 East Main Street Norristown, PA 19401

RE: Civil Action Number Case 2:15-cv-04652-RB & DOJ Case Number 90-5-1-1-10972 Draft Financial Capability Assessment Report

Dear Sir/Madam:

By this letter, the Delaware County Regional Water Quality Control Authority is enclosing a copy of the above mentioned report in accordance with the requirements of the Consent Decree.

If there are any questions, please contact me. Thank you.

Sincerely,

Michael J. DiSantis

Director of Operations & Maintenance

MJD:bab enclosure

ADMINISTRATION
☐ 610-876-5523
☐ FAX: 610-876-2728

CUSTOMER SERVICE/BILLING ☐ 610-876-5526

☐ FAX: 610-876-1460

PURCHASING & STORES

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☐ FAX: 610-497-7959

PLANT & MAINTENANCE
☐610-876-5523
☐FAX: 610-497-7950

X:\Consent Decree 2015\Phase 1 - FCA\13 - Task 9 - Financial Capabilities Assessment\DOJ-EPA-PADEP--Draft FCA Report - 5-13-2016.doc

USDOJ/USEPA/PADEP Draft Financial Capability Assessment Report May 13, 2016 page 2

cc: via email

Margaret Hill, Blank Rome Marlene Finizio, Greeley and Hansen Michael Hope, Greeley and Hansen Ed Bothwell, DELCORA Charles Hurst, DELCORA Michael DiSantis, DELCORA John Pileggi, DELCORA Robert Willert, DELCORA File – Consent Order – LTCP CSO

May 18, 2016

FED EX – NEXT DAY

Chief, Environmental Enforcement

Section

Environment and Natural Resources Division

U.S. Department of Justice

601 D Street NW

Washington, DC 20004

Re: DOJ No. 90-5-1-1-10972

Philip Yeany

Office of Regional Counsel (3RC20)

U.S. EPA, Region 3 1650 Arch Street

Philadelphia, PA 19103-2029

Chief

NPDES Enforcement Branch (3WP42)

Water Protection Division

U.S. EPA, Region 3

1650 Arch Street

Philadelphia, PA 19103-2029

Program Manager – Clean Water Program

PA DEP

Southeast Regional Office

2 East Main Street

Norristown, PA 19401

Civil Action Number Case 2:15-cv-04652-RB RF:

& DOJ Case Number 90-5-1-1-10972

Consent Decree

Updated Identification of Sensitive Areas and Pollutants of

Concern Report to Address USEPA Comments

Dear Sir/Madam:

By this letter, the Delaware County Regional Water Quality Control Authority is enclosing a copy of the above mentioned report in accordance with the requirements of the Consent Decree.

If there are any questions, please contact me. Thank you.

Sincerely,

Michael J. DiSantis

Director of Operations & Maintenance

MJD:bab enclosure

ADMINISTRATION ☐ 610-876-5523 ☐FAX: 610-876-2728 CUSTOMER SERVICE/BILLING

□610-876-5526 ☐FAX: 610-876-1460

PURCHASING & STORES ☐ 610-876-5523 ☐ FAX: 610-497-7959

PLANT & MAINTENANCE ☐ 610-876-5523 ☐ FAX: 610-497-7950

USDOJ/USEPA/PADEP Updated Identification of Sensitive Areas & Pollutants of Concern Report to Address USEPA Comments May 18, 2016 page 2

via email CC:

Margaret Hill, Blank Rome

Marlene Finizio, Greeley and Hansen Michael Hope, Greeley and Hansen

Ed Bothwell, DELCORA Charles Hurst, DELCORA Michael DiSantis, DELCORA John Pileggi, DELCORA Robert Willert, DELCORA

File - Consent Order - LTCP CSO



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

MAY 23 2016

<u>CERTIFIED MAIL</u> RETURN RECEIPT REQUESTED

Mr. Michael J. DiSantis, Director Operations & Maintenance Delaware County Regional Quality Control Authority 100 East Fifth Street Chester, PA 19013

RE: Civil Action 2:15-cv-04652-RB

Dear Mr. Disantis:

The United States Environmental Protection Agency (EPA) has received the Delaware County Regional Quality Control Authority (DELCORA) Typical Hydrologic Period Report (Updated April 2016). EPA has consulted with the Pennsylvania Department of the Environment (PaDEP). EPA hereby approves the subject plan.

Thank you for your continued cooperation with this matter. Please do not hesitate to contact me at (215) 814-2097 if you have any questions.

Sincerely,

Andrew F. Seligman, Environmental Scientist Water Enforcement Branch

cc: R. Smolski, EPA

P. Yeany, EPA

M. DiSantis, DELCORA

S. O'Neil, PaDEP SERO

J. Fields, PaDEP SERO



June 17, 2016

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Andrew F. Seligman
Senior Environmental Scientist and
Enforcement Officer
U.S. EPA, Region 3
1650 Arch Street (3WP42)
Philadelphia, PA 19103-2029

RE: Civil Action Number Case 2:15-cv-04652-RB

& DOJ Case Number 90-5-1-1-10972

Dear Mr. Seligman:

Per condition B.26. in Article V. - Compliance Measures of the above mentioned action, DELCORA is required to place the new EPS-1 Pump Station into operation by December 31, 2018. By this letter, the Authority is requesting to extend this deadline to December 31, 2019. While the design for the new facility has been underway for some time and is approximately 30% complete, we are concerned that the land acquisition needed for the facility as well as the permitting and approvals required by PADEP, Delaware County, and Chester City will negatively affect the timeline for the project thereby preventing compliance with this condition. If granted this extension, we would continue to use the December 31, 2018 date as our target but don't want to fall short of compliance due to the aforementioned issues.

If you would like to discuss this in further detail, we would be glad to either meet or hold a conference call with EPA and PA DEP. Thank you in advance for your consideration. Please feel free to contact me with any questions.

Sincerely,

Michael J. DiSantis

Director of Operations & Maintenance

MJD:bab

Andrew F. Seligman USEPA, Region 3 June 17, 2016 page 2

cc: via email

Jenifer Fields, PADEP
Steve O'Neil, PADEP
Margaret Hill, Blank Rome
Marlene Finizio, Greeley and Hansen
Michael Hope, Greeley and Hansen
Ed Bothwell, DELCORA
Charles Hurst, DELCORA
John Pileggi, DELCORA
Robert Willert, DELCORA
File – Consent Order – LTCP CSO



June 17, 2016

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Andrew F. Seligman
Senior Environmental Scientist and
Enforcement Officer
U.S. EPA, Region 3
1650 Arch Street (3WP42)
Philadelphia, PA 19103-2029

RE: Civil Action Number Case 2:15-cv-04652-RB

& DOJ Case Number 90-5-1-1-10972

Dear Mr. Seligman:

Per condition A.14.e in Article V. - Compliance Measures of the above mentioned action, DELCORA is required to provide EPA and PADEP with the technical data documenting the results and quality of the rainfall and flow monitoring data. This condition doesn't specify what is considered quarterly and when the report would be due following a quarterly period. To clarify, we propose the following for reporting. Reports would be based on calendar year quarters with the report due by the first of the month following the end of a quarter. As an example, we began recording rainfall and flow monitoring data at all sites on March 17, 2016. Therefore, by July 1, 2016, the Authority would provide the required report for all data collected through June 30, 2016. Subsequent reports would then be due the first of the month following the end of each calendar year quarter until the 12 months of data has been compiled.

If you would like to discuss this in further detail, we would be glad to either meet or hold a conference call with EPA and PA DEP. Thank you in advance for your consideration. Please feel free to contact me with any questions.

Sincerely.

Michael J. DiSantis

Director of Operations & Maintenance

MJD:bab

Andrew F. Seligman USEPA, Region 3 June 17, 2016 page 2

cc: via email

Jenifer Fields, PADEP Steve O'Neil, PADEP

Margaret Hill, Blank Rome

Marlene Finizio, Greeley and Hansen Michael Hope, Greeley and Hansen

Ed Bothwell, DELCORA Charles Hurst, DELCORA John Pileggi, DELCORA Robert Willert, DELCORA

File - Consent Order - LTCP CSO



June 21, 2016

FED EX - NEXT DAY

Andrew F. Seligman
Senior Environmental Scientist and
Enforcement Officer
U.S. EPA, Region 3
1650 Arch Street (3WP42)
Philadelphia, PA 19103-2029

RE: Civil Action Number Case 2:15-cv-04652-RB

& DOJ Case Number 90-5-1-1-10972

Correction

Dear Mr. Seligman:

Per condition A.14.e in Article V. - Compliance Measures of the above mentioned action, DELCORA is required to provide EPA and PADEP with the technical data documenting the results and quality of the rainfall and flow monitoring data. This condition doesn't specify what is considered quarterly and when the report would be due following a quarterly period. To clarify, we propose the following for reporting. Reports would be based on calendar year quarters with the report due by the first of the month following the end of a quarter. As an example, we began recording rainfall and flow monitoring data at all sites on March 17, 2016. Therefore, by August 1, 2016, the Authority would provide the required report for all data collected through June 30, 2016. Subsequent reports would then be due by the first day of the second month following the end of each calendar year quarter until the 12 months of data has been compiled.

If you would like to discuss this in further detail, we would be glad to either meet or hold a conference call with EPA and PA DEP. Thank you in advance for your consideration. Please feel free to contact me with any questions.

Sincerely,

Michael J. DiSantis

Director of Operations & Maintenance

MJD:bab

Andrew F. Seligman USEPA, Region 3 June 21, 2016 page 2

cc: via email

Jenifer Fields, PADEP Steve O'Neil, PADEP Margaret Hill, Blank Rome

Marlene Finizio, Greeley and Hansen Michael Hope, Greeley and Hansen

Ed Bothwell, DELCORA Charles Hurst, DELCORA John Pileggi, DELCORA Robert Willert, DELCORA

File - Consent Order - LTCP CSO

Appendix 3

NPDES Permit Exceedance Report

(NO REPORTS SUBMITTED DURING JANUARY 2016 TO JUNE 2016)

Appendix 4

CSOs, SSOs and Unpermitted Discharges Correspondence



February 17, 2016

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Chief, Environmental Enforcement Section Environment and Natural Resources Division U.S. Department of Justice P. O. Box 7611, Ben Franklin Station Washington, DC 20004-7611 Re: DOJ No. 90-5-1-1-10972 Philip Yeany
Office of Regional Counsel (3RC20)
U.S. EPA, Region 3
1650 Arch Street
Philadelphia, PA 19103-2029

Chief NPDES Enforcement Branch (3WP42) Water Protection Division U.S. EPA, Region 3 1650 Arch Street Philadelphia, PA 19103-2029 Program Manager – Clean Water Program PA DEP Southeast Regional Office 2 East Main Street Norristown, PA 19401

RE:

Civil Action Number Case 2:15-cv-04652-RB

& DOJ Case Number 90-5-1-1-10972

Notice of Violation

Dear Sir/Madam:

By this letter, the Delaware County Regional Water Quality Control Authority is advising that a SSO event occurred on February 16, 2016. I am attaching a report for your review which provides the details associated with the event, in accordance with the requirements of the Consent Decree.

If there are any questions, please contact me. Thank you.

Sincerely,

Michael J. DiSantis

Director of Operations & Maintenance

MJD:bab attachment

ADMINISTRATION
☐ 610-876-5523
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PLANT & MAINTENANCE ☐ 610-876-5523 ☐ FAX: 610-497-7950 USDOJ/USEPA/PADEP Notice of Violation – SSO Report February 17, 2016 page 2

CC:

via email

Margaret Hill, Blank Rome

Marlene Finizio, Greeley and Hansen Michael Hope, Greeley and Hansen

Ed Bothwell, DELCORA
Michael DiSantis, DELCORA
John Pileggi, DELCORA
Robert Willert, DELCORA

File - Consent Order - LTCP CSO

Sanitary Sewer Overflow (SSO) Report to PADEP- Water Management

Please check the appropriate box Date: 2/16/2016 Date, Name, Phone # of person Name: Patrick A Henry Sr. completing this report Phone #: (610) 876-5523 ext. 293 Name: DELCORA 2. Your organization name and County: Delaware Address: P.O. Box 999, Chester, PA 19016 address? Township/Municipality: Sewer system owner and permit DELCORA NPDES NO. 0027103 number Date found and specific location Municipality: Ridley Township Date: 2/16/2016 of SSO. Including Location(Street & #): Central Delaware PS County: Delaware Municipality/County (if different from Sellers Avenue #2)? 4. How was SSO discovered? Overflow was observed by DELCORA personnel as an alarm on SCADA. By whom? 5. Start and end time of SSO Stopped: Approximately 2.01 PM Start: Approximately 1:38 PM (actual or estimate?) Date: 2/16/16 6. Date, time and name of person who called PADEP originally to Time: Approximately 2:48 PM notify of SSO? Name: Tom Czwalina 7. Description and actual or Sanitary wastewater, volume unknown estimated volume of SSO 8. Where, precisely, did SSO go? (land, roadway, basement, swale, storm sewer, creek, etc) Please Overflow flowed to a tributary of Darby Creek that is adjacent to the pump station. include creek name or street location. Heavy rain caused very high flows to the station. Crews responded to the station and 9. What caused SSO? ran the Bar screen in hand to help clear debris. How was it stopped? All pumps were in service during bypass. 10. Describe extent of No debris or contamination observed as creek level was very high, muddy, and flowing contamination and how it was rapidly at the time of the overflow. cleaned up 11. What actions will be taken to N/A prevent a re-occurrence? When? 12. Other comments? None 13.Downstream notifications made: (All downstream users such as public water supplies must be notified) None

DEP fax: 484-250-5971



February 18, 2016

FED EX – NEXT DAY

Chief, Environmental Enforcement Section Environment and Natural Resources Division U.S. Department of Justice 601 D Street NW Washington, DC 20004 Re: DOJ No. 90-5-1-1-10972 Philip Yeany Office of Regional Counsel (3RC20) U.S. EPA, Region 3 1650 Arch Street Philadelphia, PA 19103-2029

Chief NPDES Enforcement Branch (3WP42) Water Protection Division U.S. EPA, Region 3 1650 Arch Street Philadelphia, PA 19103-2029 Program Manager – Clean Water Program PA DEP Southeast Regional Office 2 East Main Street Norristown, PA 19401

RE: Civil Action Number Case 2:15-cv-04652-RB & DOJ Case Number 90-5-1-1-10972 Notice of Violation

Dear Sir/Madam:

By this letter, the Delaware County Regional Water Quality Control Authority is advising that a SSO event occurred on February 18, 2016. I am attaching a report for your review which provides the details associated with the event in accordance with the requirements of the Consent Decree.

If there are any questions, please contact me. Thank you.

Sincerely,

Michael J. DiSantis

Director of Operations & Maintenance

MJD:smf Attachment

ADMINISTRATION
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PLANT & MAINTENANCE ☐ 610-876-5523 ☐ FAX: 610-497-7950

84.

☐ FAX: 610-876-1460

Sanitary Sewer Overflow (SSO) Report to PADEP- Water Management

Wet Weather Overflow Dry Weather Overflow Please check the appropriate box Date: 2/18/16 Date, Name, Phone # of person Name: Mike Warholic completing this report Phone #: (610) 876-5523 ext. 243 Name: DELCORA 2. Your organization name and Address: P.O. Box 999, Chester, PA 19016 County: Delaware address? Township/Municipality: Chester City Sewer system owner and permit DELCORA - NPDES No. PA0027103 number Date found and specific location Date: 2/18/16 Chester city Municipality: of SSO. Including Location(Street & #): Front and Hayes CSO #004 Municipality/County (if different from County: Delaware #2)? 4. How was SSO discovered? Delcora crew during daily CSO checks. By whom? 5. Start and end time of SSO Start time unknown - ended 2/18/16 @7:35am. CSO last checked 2/17/16 @7:26am (actual or estimate?) 6. Date, time and name of person who called PADEP originally to notify 2/18/15 at 7:55 AM by M. Warholic of SSO? 7. Description and actual or Unknown estimated volume of SSO 8. Where, precisely, did SSO go? (land, roadway, basement, swale, storm sewer, creek, etc) Please Delaware river include creek name or street location. 9. What caused SSO? Rags partially blocking pipe between trunk line and regulator. Heavy rain on 2/16/16 How was it stopped? 10. Describe extent of contamination and how it was N/A cleaned up 11. What actions will be taken to prevent a re-occurrence? Continue with O&M program that includes daily checks When? 12. Other comments? None 13. Downstream notifications made: (All downstream users such as public water supplies must be notified) N/A

DEP fax: 484-250-5971



February 29, 2016

FED EX – NEXT DAY

Chief, Environmental Enforcement Section Environment and Natural Resources Division U.S. Department of Justice 601 D Street NW Washington, DC 20004 Re: DOJ No. 90-5-1-1-10972

Philip Yeany Office of Regional Counsel (3RC20) U.S. EPA, Region 3 1650 Arch Street Philadelphia, PA 19103-2029

Chief NPDES Enforcement Branch (3WP42) Water Protection Division U.S. EPA, Region 3 1650 Arch Street Philadelphia, PA 19103-2029 Program Manager – Clean Water Program PA DEP Southeast Regional Office 2 East Main Street Norristown, PA 19401

RE:

Civil Action Number Case 2:15-cv-04652-RB

& DOJ Case Number 90-5-1-1-10972

Notice of Violation

Dear Sir/Madam:

By this letter, the Delaware County Regional Water Quality Control Authority is advising that a SSO event occurred on February 26, 2016. I am attaching a report for your review which provides the details associated with the event in accordance with the requirements of the Consent Decree.

If there are any questions, please contact me. Thank you.

Sincerely,

Michael J. DiSantis

Director of Operations & Maintenance

MJD:bab attachment

ADMINISTRATION

☐ 610-876-5523

☐ FAX: 610-876-2728

CUSTOMER SERVICE/BILLING

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☐610-876-5523

□FAX: 610-497-7950

PLANT & MAINTENANCE

USDOJ/USEPA/PADEP Notice of Violation February 29, 2016 page 2

cc: via email

Margaret Hill, Blank Rome

Marlene Finizio, Greeley and Hansen Michael Hope, Greeley and Hansen

Ed Bothwell, DELCORA Michael DiSantis, DELCORA John Pileggi, DELCORA Robert Willert, DELCORA

File - Consent Order - LTCP CSO

Please check the appropriate box Dry Weather Overflow ☐ Wet Weather Overflow Date: 2/26/16 Date, Name, Phone # of person Name: Mike Warholic completing this report Phone #: (610) 876-5523 ext. 243 Name: DELCORA 2. Your organization name and County: Delaware Address: P.O. Box 999, Chester, PA 19016 address? Township/Municipality: Chester City Sewer system owner and permit DELCORA - NPDES No. PA0027103 number Date found and specific location Date: 2/26/16 Municipality: Chester city of SSO. Including Location(Street & #): Rainey st. CSO #007 County: Municipality/County (if different from Delaware #2)? 4. How was SSO discovered? Delcora crew working on Godwin pump on Delware interceptor By whom? Start - approximately 1:00pm.Crew had a temporary interceptor pump set up to draw flows down in interceptor post rain events. Had a failure on the pump, had to switch out 5. Start and end time of SSO with another Godwin pump. During this transistion the interceptor and regulator was (actual or estimate?) handling all the flow it could, during this time frame we had some overflow to Delaware river. 6. Date, time and name of person who called PADEP originally to 2/26/16 @ 2:55pm M. Warholic notify of SSO? 7. Description and actual or Unknown at this time. Flow will be calculated by model for DMR submission. estimated volume of SSO 8. Where, precisely, did SSO go? (land, roadway, basement, swale, storm sewer, creek, etc) Please Delaware River include creek name or street location 9. What caused SSO? Post heavy rain event, and temporary relief pump failure. Stopped by setting up a How was it stopped? another interceptor relief pump. 10. Describe extent of N/A contamination and how it was cleaned up Continue with O&M program that includes daily checks. Also, we will be formalizing the 11. What actions will be taken to interceptor relief pumping system as this area is prone to slow recovery following rain prevent a re-occurrence? events. Until the system is made permanent, we will continue with temporary pumping When? on an as-needed basis. Other comments? None 13. Downstream notifications made: (All downstream users such as public water supplies must be

notified)

N/A

DEP fax: 484-250-5971

ADA2 5253 1947

From Please print and press hard. Sender's FedEx 1060-5969-1 Date 2/29/2016 Sender's M. J. DiSantis/bab Phone (610) 876-5523 Company DELCORA Address 100 E 5TH ST FL 2 City CHESTER PA ZIP 19013-4508 Your Internal Billing Reference SSO report 3 To Recipient's Chief, Environmental Phone (202) 514-2757 Name Enforcement Section US Dept. of Justice Company Environment & Natural Resources Div. HOLD Weekday DOJ No. 90-5-1-1-10972 Address We cannot del **HOLD Saturday** 601D Street Address Washington, DC 20004

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2/29/2016 1060-5969-1 Sender's M. J. DiSantis/bab Phone (610) 876-5523 Company DELCORA Address 100 E 5TH ST FL 2

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SSO report Chief, NPDES Enforcement Branch (3WP42)

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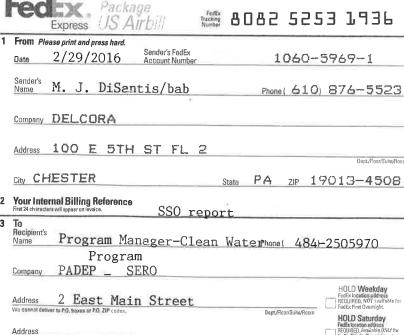
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P.O. Box 999 • Chester, PA 19016-0999

March 14, 2016

U.S. EPA, Region 3

1650 Arch Street

Philip Yeany

FED EX - NEXT DAY

Chief, Environmental Enforcement

Section

Environment and Natural

Resources Division

U.S. Department of Justice 601 D Street NW

Washington, DC 20004

Re: DOJ No. 90-5-1-1-10972

Program Manager – Clean Water Program

Office of Regional Counsel (3RC20)

Philadelphia, PA 19103-2029

PA DEP

Southeast Regional Office

2 East Main Street

Norristown, PA 19401

Chief

NPDES Enforcement Branch (3WP42)

Water Protection Division

U.S. EPA, Region 3

1650 Arch Street

Philadelphia, PA 19103-2029

RE:

Civil Action Number Case 2:15-cv-04652-RB

& DOJ Case Number 90-5-1-1-10972

Notice of Violation

Dear Sir/Madam:

By this letter, the Delaware County Regional Water Quality Control Authority is advising that a SSO event occurred on March 11, 2016. I am attaching a report for your review which provides the details associated with the event in accordance with the requirements of the Consent Decree.

If there are any questions, please contact me. Thank you.

Sincerely.

Michael J. DiSantis

Director of Operations & Maintenance

MJD:bab attachment

ADMINISTRATION
☐610-876-5523
☐FAX: 610-876-2728

CUSTOMER SERVICE/BILLING

☐ 610-876-5526 ☐ FAX: 610-876-1460 PURCHASING & STORES

☐610-876-5523

☐FAX: 610-497-7959

□610-876-5523 □FAX: 610-497-7950

91

PLANT & MAINTENANCE

USDOJ/USEPA/PADEP Notice of Violation – SSO Report March 14, 2016 page 2

cc: via email

Margaret Hill, Blank Rome

Marlene Finizio, Greeley and Hansen Michael Hope, Greeley and Hansen

Ed Bothwell, DELCORA Michael DiSantis, DELCORA John Pileggi, DELCORA Robert Willert, DELCORA

File - Consent Order - LTCP CSO

Date, Name, Phone # of person completing this report	Date : 3/14/2016 Name : Jim Cartafalsa Phone # : (610) 876-5523 ext. 215
Your organization name and address?	Name: DELCORA County: Delaware Address: P.O. Box 999, Chester, PA 19016 Township/Municipality: Chester City
Sewer system owner and permit number	DELCORA - NPDES No. PA0027103
Date found and specific location of SSO. Including Municipality/County (if different from #2)?	Date: 3/11/16 Municipality: Chester city Location(Street & #): Manhole #995 near 12th & Parker County: Delaware
4. How was SSO discovered? By whom?	Received a call from a resident to the sewer complaint emergency line stating that she noticed sewage running into Chester creek. Manhole is located in a wooded area and was noticed by the resident when taking a walk.
5. Start and end time of SSO (actual or estimate?)	Start is unknown. The call was received at 3:17 pm and staff was immediately sent out. Overflow ended at approximatey 4:45 PM.
6. Date, time and name of person who called PADEP originally to notify of SSO ?	3/11/16 @ 4:18pm J. Cartafalsa
Description and actual or estimated volume of SSO	Volume of overflow is unknown.
8. Where, <u>precisely</u> , did SSO go? (land, roadway, basement, swale, storm sewer, creek, etc) Please include creek name or street location.	Sanitary wastewater overflowed to the surrounding ground and some into the Chester Creek
9. What caused SSO ? How was it stopped ?	Grease and rags were removed from the line which stopped overflow.
Describe extent of contamination and how it was cleaned up	Area is being cleaned by staff with all debris removed.
11. What actions will be taken to prevent a re-occurrence? When?	Continue with O&M program that will include further cleaning and televising.
12. Other comments ?	None
13.Downstream notifications made:	
(All downstream users such as public water supplies must be notified)	N/A

DEP fax: 484-250-5971

Packages up to 150 lbs. For peckages over 150 lbs., use the new Feetx Express freight US Airbill.

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	Recipient's Name Philip Yeany Phone 215-814-2359 Office of Regional Counsel (3RC20)	SATURDAY Delivery I FedEx Sandard Overnight, FedEx 2Day A.M., or FedEx
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P.O. Box 999 • Chester, PA 19016-0999

May 2, 2016

FED EX - NEXT DAY

Chief, Environmental Enforcement Section Environment and Natural

Resources Division
U.S. Department of Justice
601 D Street NW

Washington, DC 20004 Re: DOJ No. 90-5-1-1-10972 Philip Yeany Office of Regional Counsel (3RC20) U.S. EPA, Region 3 1650 Arch Street Philadelphia, PA 19103-2029

Chief NPDES Enforcement Branch (3WP42) Water Protection Division U.S. EPA, Region 3 1650 Arch Street

Philadelphia, PA 19103-2029

Program Manager – Clean Water Program PA DEP Southeast Regional Office 2 East Main Street Norristown, PA 19401

RE: Civil Action Number Case 2:15-cv-04652-RB & DOJ Case Number 90-5-1-1-10972

Notice of Violation

Dear Sir/Madam:

By this letter, the Delaware County Regional Water Quality Control Authority is advising that a SSO event occurred on April 26, 2016. I am attaching a report for your review which provides the details associated with the event in accordance with the requirements of the Consent Decree.

If there are any questions, please contact me. Thank you.

Sincerely,

Michael J. DiSantis

Director of Operations & Maintenance

MJD:bab attachment

ADMINISTRATION
☐610-876-5523
☐FAX: 610-876-2728

CUSTOMER SERVICE/BILLING

☐ 610-876-5526

☐ FAX: 610-876-1460

PURCHASING & STORES
☐ 610-876-5523
☐ FAX: 610-497-7959

PLANT & MAINTENANCE
☐ 610-876-5523
☐ FAX: 610-497-7950

USDOJ/USEPA/PADEP Notice of Violation – SSO Report May 2, 2016 page 2

via email w/attachment
Margaret Hill, Blank Rome
Marlene Finizio, Greeley and Hansen
Michael Hope, Greeley and Hansen
Ed Bothwell, DELCORA
Charles Hurst, DELCORA
Michael DiSantis, DELCORA
John Pileggi, DELCORA
Robert Willert, DELCORA
File – Consent Order – LTCP CSO

Sanitary Sewer Overflow (SSO) Report to PADEP- Water Management DEP fax: 484-250-5971

Dry Weather Overflow □ Wet Weather Overflow Please check the appropriate box Date, Name, Phone # of person 4/27/16 Michael DiSantis 610-876-5523 ext. 264 completing this report Name: DELCORA 2. Your organization name and Address: P.O. Box 999, Chester, PA 19016 County: Delaware address? Township/Municipality: Chester City Sewer system owner and permit DELCORA NPDES NO. 0027103 number 3. Date found and specific location Date: 4/26/16 Municipality: Chester City of SSO. Including County:Delaware Municipality/County (if different from Location: 3201 W. Front Street (WRTP) #2)? 4. How was SSO discovered? Plant staff observed manhole on plant recycle flow (PRF) pump station gravity line By whom? overflowing. The incident started at approximately 10:30 PM and ended at approximately 1:00 AM 5. Start and end time of SSO on 4/27/16. (actual or estimate?) Date: 4/27/16 6. Date, time and name of person who called PADEP originally to Time: Approximately 1:35 AM Name: Dave Voshelle notify of SSO? Volume unknown. Plant recycle flow consists of sanitary waste, rain water from truck 7. Description and actual or waste containment areas, sludge dewatering and thickening filtrate, and secondary estimated volume of SSO clarifier scum flow. 8. Where, precisely, did SSO go? (land, roadway, basement, swale, Wastewater spilled onto asphalt out of a manhole of the gravity line to the pump storm sewer, creek, etc) Please station, with some flow eventually entering a stormwater inlet. include creek name or street location. Overflow was caused by a failure of one of the two pumps in the station. Overflow was stopped when a second portable stand-by pump was put into service. The pump manufacturer recently had a recall on the model of pump that is used at the pump 9. What caused SSO? station. One of the pumps was already out of service to address the recall. The pump How was it stopped? that failed had recently been repaired and installed within the past two weeks. The pump that we keep as a spare is also out for service. Wastewater flowed on to asphalt around manholes and flowed across driveway. With 10. Describe extent of contamination and how it was some of the overflow entering storm drain inlets. Due to rain event, there was no cleaned up accumulated debris so no clean up was needed. 11. What actions will be taken to All three pumps are being repaired which will leave two pumps in service and one prevent a re-occurrence? spare on the shelf. Additionally, the portable stand-by pumps will remain available. A When? project currently in design will eliminate this pump station by the end of 2018. Additional stand-by pumps have been added to the system until a permanent repair can be made. This station is scheduled to be replaced during an upgrade that is 12. Other comments? underway. 13.Downstream notifications made: (All downstream users such as public water supplies must be

notified)

N/A



May 18, 2016

FED EX – NEXT DAY

Chief, Environmental Enforcement Section Environment and Natural Resources Division U.S. Department of Justice 601 D Street NW Washington, DC 20004 Re: DOJ No. 90-5-1-1-10972 Philip Yeany Office of Regional Counsel (3RC20) U.S. EPA, Region 3 1650 Arch Street Philadelphia, PA 19103-2029

Chief NPDES Enforcement Branch (3WP42) Water Protection Division U.S. EPA, Region 3 1650 Arch Street Philadelphia, PA 19103-2029 Program Manager – Clean Water Program PA DEP Southeast Regional Office 2 East Main Street Norristown, PA 19401

RE: Civil Action Number Case 2:15-cv-04652-RB & DOJ Case Number 90-5-1-1-10972 Notice of Violation

Dear Sir/Madam:

By this letter, the Delaware County Regional Water Quality Control Authority is advising that a SSO event occurred on May 17, 2016. I am attaching a report for your review which provides the details associated with the event in accordance with the requirements of the Consent Decree.

If there are any questions, please contact me. Thank you.

Sincerely,

Michael J. DiSantis

Director of Operations & Maintenance

MJD:bab attachment

ADMINISTRATION

☐ 610-876-5523

☐ FAX: 610-876-2728

CUSTOMER SERVICE/BILLING ☐ 610-876-5526

☐FAX: 610-876-1460

PURCHASING & STORES

☐ 610-876-5523

☐ FAX: 610-497-7959

PLANT & MAINTENANCE
☐610-876-5523
☐FAX: 610-497-7950

USDOJ/USEPA/PADEP Notice of Violation - SSO Report May 18, 2016 page 2

via email w/attachment CC: Margaret Hill, Blank Rome Marlene Finizio, Greeley and Hansen Michael Hope, Greeley and Hansen Ed Bothwell, DELCORA Charles Hurst, DELCORA Michael DiSantis, DELCORA John Pileggi, DELCORA Robert Willert, DELCORA File - Consent Order - LTCP CSO

Please check the appropriate box $\ oxdot$ Dry Weather Overflow $\ oxdot$ Wet Weather Overflow

Date, Name, Phone # of person completing this report	Date: 5/17/16 Name: Mike Warholic Phone #: (610) 876-5523 ext. 243
Your organization name and address?	Name: DELCORA County: Delaware Address: P.O. Box 999, Chester, PA 19016 Township/Municipality: Chester City
Sewer system owner and permit number	DELCORA - NPDES No. PA0027103
Date found and specific location of SSO. Including Municipality/County (if different from #2)?	Date: 5/17/16 Municipality: Parkside boro Location(Street & #): Park Valley lane into wooded area Delcora pipeline segment 3417. County: Delaware
4. How was SSO discovered? By whom?	Resident taking a walk
Start and end time of SSO (actual or estimate?)	Start time undetermined. SSO ended at approximately 1:00pm 5/17/16
6. Date, time and name of person who called PADEP originally to notify of SSO ?	5/17/16 DEP notified Delcora via Mike DiSantis at approximately 11:15am
Description and actual or estimated volume of SSO	No estimate for volume
8. Where, <u>precisely</u> , did SSO go? (land, roadway, basement, swale, storm sewer, creek, etc) Please include creek name or street location.	A small stream on the Parkside Brookhaven border that dumps into Ridley Creek
9. What caused SSO ? How was it stopped ?	Tree roots, and it appears the roots broke the sewer pipe. Delcora contractor will be making the pipe repair 5/18/16
Describe extent of contamination and how it was cleaned up	Contamination mostly contained in small stream. Hay bales where placed across the stream at three sites to capture any solids. Cleanup ongoing, crews pumping creek out into a Delcora santitary manhole
11. What actions will be taken to prevent a re-occurrence? When?	Once the pipe repair has been completed, a pipe line assesment will be made and any and all corrective actions will be taken to prevent another occurrence.
12. Other comments ?	None
13.Downstream notifications made: (All downstream users such as public water supplies must be notified)	N/A

DEP fax: 484-250-5971

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PA 19103-2029

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May 31, 2016

FED EX – NEXT DAY

Chief, Environmental Enforcement Section **Environment and Natural** Resources Division U.S. Department of Justice 601 D Street NW Washington, DC 20004 Re: DOJ No. 90-5-1-1-10972

Philip Yeany Office of Regional Counsel (3RC20) U.S. EPA, Region 3 1650 Arch Street Philadelphia, PA 19103-2029

Chief NPDES Enforcement Branch (3WP42) Water Protection Division U.S. EPA, Region 3 1650 Arch Street Philadelphia, PA 19103-2029

Program Manager – Clean Water Program PA DEP Southeast Regional Office 2 East Main Street Norristown, PA 19401

Civil Action Number Case 2:15-cv-04652-RB RE: & DOJ Case Number 90-5-1-1-10972 Notice of Violations (2)

Dear Sir/Madam:

By this letter, the Delaware County Regional Water Quality Control Authority is advising that two SSO events occurred recently; one at Bridle Way PS and one at Central Delaware PS. I am attaching the reports for your review which provide the details associated with the events in accordance with the requirements of the Consent Decree.

If there are any questions, please contact me. Thank you.

Sincerely,

Michael J. DiSantis

Director of Operations & Maintenance

MJD:bab attachments

ADMINISTRATION ☐ 610-876-5523

CUSTOMER SERVICE/BILLING ☐ 610-876-5526

PURCHASING & STORES ☐610-876-5523

PLANT & MAINTENANCE ☐ 610-876-5523

FAX: 610-876-2728 FAX: 610-876-1460 FAX: 610-876-1460 FAX: 610-497-7959 FAX: 610-497-7959 FAX: 610-497-7959 FAX: 610-876-1460 FAX: 610-876

USDOJ/USEPA/PADEP Notice of Violation – 2 SSO Reports May 31, 2016 page 2

cc: via email w/attachment
Margaret Hill, Blank Rome
Marlene Finizio, Greeley and Hansen
Michael Hope, Greeley and Hansen
Ed Bothwell, DELCORA
Charles Hurst, DELCORA
Michael DiSantis, DELCORA
John Pileggi, DELCORA
Robert Willert, DELCORA
File – Consent Order – LTCP CSO

Please check the appropriate box Wet Weather Overflow Dry Weather Overflow Date: 5/31/16 Date, Name, Phone # of person Name: Michael J. DiSantis completing this report Phone #: (610) 876-5523 ext. 264 Name: DELCORA 2. Your organization name and County: Delaware Address: P.O. Box 999, Chester, PA 19016 address? Township/Municipality: Sewer system owner and permit DELCORA NPDES NO. 0027103 number Date found and specific location Municipality: Ridley Township Date: 5/30/16 of SSO. Including County: Delaware Location(Street & #): Central Delaware PS Municipality/County (if different from Sellers Avenue #2)? 4. How was SSO discovered? Overflow was observed by on-site DELCORA personnel. By whom? Start and end time of SSO Start: Approximately 3:45 AM Stopped: Approximately 5:35 AM (actual or estimate?) 6. Date, time and name of person Date: 5/30/16 who called PADEP originally to Time: Approximately 6:00 AM Name: Dave Voshelle notify of SSO? 7. Description and actual or Sanitary wastewater, volume unknown estimated volume of SSO 8. Where, precisely, did SSO go? (land, roadway, basement, swale, Overflow flowed to a tributary of Darby Creek that is adjacent to the pump station. storm sewer, creek, etc) Please include creek name or street location. High flows to the station caused by very heavy rain. All pumps were in service during 9. What caused SSO? How was it stopped? bypass. Bypass ended when flow to station went below capacity of station. 10. Describe extent of No debris or contamination observed as creek level was very high, muddy, and flowing contamination and how it was rapidly at the time of the overflow. cleaned up 11. What actions will be taken to N/A prevent a re-occurrence? When? None 12. Other comments? 13.Downstream notifications made: (All downstream users such as public water supplies must be notified) None

DEP fax: 484-250-5971

Sanitary Sewer Overflow (SSO) Report to PADEP- Water Management

J

Dry Weather Overflow

Please check the appropriate box

Date: 5/31/16 Date, Name, Phone # of person Name: Michael J. DiSantis completing this report Phone #: (610) 876-5523 ext. 264 Name: DELCORA 2. Your organization name and County: Delaware Address: P.O. Box 999, Chester, PA 19016 address? Township/Municipality: Sewer system owner and permit DELCORA NPDES NO. 0027103 number 3. Date found and specific location of SSO. Including Date: 5/31/16 Municipality: Edgmont Township County: Delaware Municipality/County (if different from Location(Street & #): Bridle Way PS 4. How was SSO discovered? Overflow was observed by Agua personnel who then notified DELCORA. By whom? Stopped: Approximately 8:00 Start: Unknown, overflow observed around 7:30 AM Start and end time of SSO AM (actual or estimate?) Date: N/A 6. Date, time and name of person who called PADEP originally to Time : N/A notify of SSO? Name: N/A 7. Description and actual or Sanitary wastewater, volume unknown estimated volume of SSO 8. Where, precisely, did SSO go? (land, roadway, basement, swale, storm sewer, creek, etc) Please Overflow flowed to a wooded area that is adjacent to the pump station. include creek name or street location. The VFD for pump #1 failed during the station's peak diurnal flow period. No high wet 9. What caused SSO? well alarm was received due to on-going issues with Verizon land line service for the How was it stopped? auto-dialer. Normal operation resumed once #1 pump was placed in hand mode. 10. Describe extent of No debris noted only sewage. DELCORA staff will follow up and peform clean up of contamination and how it was affected area. cleaned up A high wet well alarm is being added to the back up float system which will be 11. What actions will be taken to connected to both SCADA and the auto-dialer. Also, we are adding a cellular prevent a re-occurrence? connection for the dialer due to the on-going issues with Verizon for land line telephone When? service. 12. Other comments? None 13.Downstream notifications made: (All downstream users such as public water supplies must be notified) None

DEP fax: 484-250-5971

☐ Wet Weather Overflow

Dankaga

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PA ZIP 19103-2029 0121191951

Hold Saturday



Philadelphia

Ship it. Track it. Pay for it. All online.



Package US **A**u bill

1650 Arch Street

Use this line for the HOLD location address or for continuation of your shipping address.

Fracking 8092 4948 0060

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1	From Please print and press hard.					
	Date 5/31/2016	Sender's FedEx Account Number	1060-5969-1			
	Sender's Michael Di	Santis/bab	Phone(610) B76-552			
	Company DELCORA					
	Address 100 E 5TH	ST FL 2		Dest/Picce/SursyRico		
	City CHESTER	Sta	nte PA ZIP			
2	Your Internal Billing Reference First 24 characters will appear on involce.	2 SSO Rep	orts			
3	To Reginlant's					

Program Manager-Clean Waterphone 484, 250-5970 Program PADEP-SERO Company

2 East Main Street
to P.D. howas or P.O. ZIP codes. Address

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Use this line for the HOLD location address or for continuation of your shipping address.

Norristown

ZIP 19401 PA

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Hold Weekday

Hold Saturday
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1 From Ple

Date

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ease print and press hard.		
5/31/2016	Sender's FedEx Account Number	1060-5969-1

Sender's Michael DiSantis/bab Name

Phone (610) 876-5523

Company DELCORA

Address 100 E 5TH ST FL 2

PA ZIP 19013-4508

Your Internal Billing Reference

City CHESTER

2 SSOs

To cipient's Recipi Name Chief, Environmental Phone (202) 514-2757 Enforcement XXXXXX Section

US DOJ Company

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DOJ No. 90-5-1-1-10972

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Hold Saturday



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Package

Michael DiSantis/bab

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ZIP 19013-4508 PA

Dent /Floor/Suite/Bona

City CHESTER 2 Your Internal Billing Reference

2 SSOs

3 Chief, NPDES Enforcement 814-2097 Recipient's 215

Branch (3WP42) USEPA, REGION 3

Company Hold Weekday FedEx location address REQUIRED NOT aveilable for FedEx First Overnight. 1650 Arch Street We cannot deliver to P.O. boxes or P.O. ZIP codes Hold Saturday Address

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Philadelphia

19103-2029 PA

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6 Special Handling and Delivery Signature Options Fees may apply. See the FedEx Service Guida Saturday Delivery
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Indirect Signature If no one is available at racig address, someone at a neig address may sign for deliver No Signature Required
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obtaining a signature for defivery. Direct Signature
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may sign for definery.

Does this shipment contain dangerous goods? One box must be checked.

Yes
As per attached Shipper's Declaration cot required. Dry Ice Dry Ice, 9, UN 1845 Cargo Aircraft Only Restrictions apply for dangerous goods --- and the current FedEx Service Guide

/ raymont	Enter FedEx Acct. No. or Credit Card No. below.			
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FedEx Acct. No. Credit Card No.	7,			Exp. Date
Total Packages	Total Weight	Total Declared Value [†]		
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Four lab lifty is limited to US\$100 unless you declare a higher value. See back for details. By using this arbill you agree to the service conditions on the back of this airbill and in the current FeED; Service Guide, including terms that timf our Selficy.

P 7 7

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Form 1215

4 Express Package Service *To most locations

Packages up to 150 lbs. For packages over 150 lbs., use the FedEx Express Freight US Airbill.

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5 Packaging • Declared value limit \$500.

Y FedEx Envelope* FedEx Pak* FedEx Box

FedEx Tube Other

6 Special Handling and Delivery Signature Options Foes may apply. See the FedEx Service Guide.

No Signature Required Package may be left sythout obtaining a signature for delivery.

Direct Signature Someone at recipient's address may sign for delivery.

Indirect Signature

Does this shipment contain dangerous goods? One box must be checked.

XX No Separattached Shipper's Declaration not required. Cargo Aircraft Only Restrictions apply for dangerous goods — see the current FedEx Service Guide Payment Bill to:

FedEx Acct. No. Credit Card No.

Recipient

Enter FedEx Acct. No. or Credit Card No. below. Third Party Credit Card

Cash/Check

Total Packages Total Declared Value¹ Total Weight 1

10ur liets by is limited to US\$100 unless you declare a higher value. See back for details, By using the arbitrous agree to the service conditions on the back of this art of and in the current FedEx Service Guide, including himse Pev. Date 5/15 • Part #163134 • ©1994-2015 FedEx • PRINTED IN U.S.A. SRM

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Delaware County Regional Water Quality Control Authority

100 E. Fifth Street P.O. Box 999 Chester, PA 19013