



www.delcora.org

Delaware County Regional Water Quality Control Authority
Chester, Pennsylvania

CSO Long Term Control Plan

**Consent Decree
Semi-Annual Report No. 4
(Final)
For the Reporting Period of
January 1, 2017 – June 30, 2017**

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

NPDES Permit Number PA0027103 A-1

June 30, 2017



SEMI ANNUAL REPORT CERTIFICATION SHEET
Consent Decree Semi-Annual Report No. 4

For the Reporting Period of January 1, 2017 – June 30, 2017

CIVIL ACTION NO. Case 2:15-cv-04652-RB

Filed: 11/10/15

June 30, 2017

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	 Signature	<u>6/27/17</u> Date
DELCORA ENGINEERING		
Director of Engineering	 Signature	<u>6/27/17</u> Date
DELCORA OPERATIONS AND MAINTENANCE		
Director of Operation and Maintenance	 Signature	<u>6/27/17</u> Date



Table of Contents

Section 1 Introduction	1
Section 2 Consent Decree Progress Reports	1
Section 3 Items Requiring Government Action	1
Section 4 Deadlines	1
Section 5 Description of Work Completed Within the Six-Month Period and Projection of Work	2
Section 6 Summary of All Contacts with EPA AND PADEP	2
Section 7 Statement of Exceedances of NPDES Permit Limitations	2
Section 8 Summary of All CSOs, SSOs and Unpermitted Discharges Occuring within the Six-Month Period	2

List of Tables

Table 1 Items Requiring Government Action	3
Table 2 Deadlines for this Reporting Period of CD	7
Table 3 Work Completed Within the Six-Month Period and to be Completed in the Next Six-Month Period	11
Table 4 Summary of All Contacts with the EPA and the PaDEP	19
Table 5 Summary of Any Exceedances of NPDES Permit Limitations	23
Table 6 Summary of CSOs, SSOs and Unpermitted Discharges	27

Appendices

Appendix 1 Additional Correspondence	31
Appendix 2 Notification Letters	33
Appendix 3 NPDES Permit Exceedance Report	73
Appendix 4 CSOs, SSOs and Unpermitted Discharges Correspondence	75

SEMI-ANNUAL REPORT FY 2017 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. 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 met these requirements; and 3) the reasons for any non-compliance.

SEMI-ANNUAL REPORT FY 2017 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 USEPA and PADEP during the report period relating to implementation of this Consent Decree. Table 4 indicates all correspondence requiring USEPA and PADEP response and date of response. *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.

Table 1

Items Requiring Government Action

Table 2

Deadlines for this Reporting Period of
Consent Decree

TABLE 2 DEADLINES FOR THIS REPORTING PERIOD OF CONSENT DECREE DELCORA SEMI ANNUAL REPORT (1/1/2017 – 6/30/2017)			
Reference	Requirement	Deadline in CD	Status (Met Requirement or any Non-compliance)
CD V.A.15: Water Quality Model Plan	Consent Decree Section V.A.15.a requires if DELCORA utilizes the Demonstration Approach in one or more of its receiving water then ninety (90) Days after EPA reviews and approves the Alternatives Evaluation Approach DELCORA shall submit to EPA and PADEP a Water Quality Model Plan for review and approval.	90 days after approval of Alternative Analysis Approach (10/13/16) Water Quality Model Plan due 1/13/17.	Met Requirement Submitted Water Quality Model Work Plan and Quality Assurance Project Plan on 01/11/17
CD V.A.14.e: Initiate Rainfall and Flow Monitoring (3 rd Quarter, October 1 – December 31, 2016)	Consent Decree Section V.A.14.e requires all rainfall and flow monitoring carried out in support of the H&H model to be documented in quarterly technical memoranda documenting results and quality of the rainfall and flow monitoring.	Due 2/1/17	Met Requirement Submitted on 1/26/17
CD V.A.17: Draft Financial Capabilities Assessment	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.	USEPA comments received 2/24/17 Response Due 4/24/17	Met Requirement Submitted on 4/21/17
CD V.A.14.e: Initiate Rainfall and Flow Monitoring (4 th Quarter, January 1 – March 31, 2017)	Consent Decree Section V.A.14.e requires all rainfall and flow monitoring carried out in support of the H&H model to be documented in quarterly technical memoranda documenting results and quality of the rainfall and flow monitoring.	Due 5/1/17	Met Requirement Submitted on 4/28/17
CD V.A.14.d: Rainfall and Flow Monitoring for 1 year	Rainfall and flow monitoring shall be carried out in accordance with current good industry practice for a period of at least twelve (12) months, in accordance with the schedule included in the approved H&H Model Update and Calibration plan.	12 month monitoring period started 3/18/16 through 3/18/17. Monitoring extended through 4/1/17 to capture rain event on 3/31/17.	Met Requirement Monitoring completed for 12 months. 4 th Quarter Report submitted. See above.

CD V.A.14.f: Sewer System H&H Model Report	Within 30 days after the H&H Model is revised, calibrated, and validated in accordance with the schedule set forth in the plan, DELCORA shall submit a Sewer System H&H Model Report to Plaintiffs for review and approval in accordance with the requirements of Section VI (Review and Approval of Submittals).	Due 7/3/17	Met Requirement Submitted on 6/30/2017
CD VII.A.42: PM and Reporting	Consent Decree Section VII.A.42 requires on the first day of each semi-annual period after the Date of Lodging, DELCORA will submit to EPA and PADEP a Semi-Annual Progress Report regarding the implementation of the requirements of the Consent Decree in the previous semi-annual period.	Due 7/1/2017	Met Requirement Submitted on 6/29/17

Table 3

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

TABLE 3 WORK COMPLETED WITHIN THE SIX-MONTH PERIOD AND TO BE COMPLETED IN THE NEXT SIX-MONTH PERIOD DELCORA SEMI ANNUAL REPORT (1/1/2017 – 6/30/2017)				
Reference	Work Completed Date	Project/Activity/Request	Deadline in CD/NMC	Status/Comment (Met Requirement or any Non-Compliance)
LTCPU	January 2017 thru June 2017	Held Monthly Progress Meetings with Greeley and Hansen and sub-consultants. 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 LTCPU.	LTCPU	On-going, On schedule
Consent Decree V.A.14d and V.A.14e: Rainfall and Flow Monitoring	January 2017 thru April 2017	Continue Rainfall and Flow Monitoring Received and analyzed flow meter, rain gauge, and GARR data from March 2016 thru March 2017. Developed rainfall and flow monitoring flow monitoring analysis spreadsheet. Developed draft Rainfall and Flow Monitoring Quarterly Reports. Submitted 3 rd Quarterly Report to USEPA and PADEP on 1/27/2017. Submitted 4 th Quarterly Report to USEPA and PADEP on 4/28/2017	12 months of flow monitoring required, submit quarterly technical memoranda documenting results. Began 3/18/16, finish 1 year of rainfall and flow monitoring on 3/18/16	Met requirement Submitted 4 th Quarterly Report on 4/28/2017
Consent Decree V.A.14f: Sewer System H&H Model Report	January 2017 thru June 2017	<u>Sewer System H&H Model Report</u> Reviewed and analyzed existing rainfall and flow meter data for calibration. Constructed and updated collection system model based on record drawings, GIS data, field surveys, and other data. Updated, calibrated, and validated H&H Model. Prepared draft Sewer System H&H Model Report. Based on internal review, prepare Final Sewer System H&H Model Report and submit to USEPA and PADEP on 6/29/2017.	30 days after the H&H model is calibrated and validated according to the plan schedule, submit Sewer System H&H Model Report. Due 7/3/2017	Met Requirement Submitted Report on 6/30/2017
Consent Decree V.A.15a: Water Quality Model Plan	January 2017	<u>Water Quality Model Plan</u> Prepared Final Water Quality Monitoring and Modeling Work Plan and Water Quality Assurance Project Plan (QAPP). Submitted Water Quality Monitoring and Modeling Work	90 days after approval of Alternative Analysis Approach (10/13/16). Water Quality Model	Met Requirement (Submitted Reports on 1/11/2017)

TABLE 3 WORK COMPLETED WITHIN THE SIX-MONTH PERIOD AND TO BE COMPLETED IN THE NEXT SIX-MONTH PERIOD DELCORA SEMI ANNUAL REPORT (1/1/2017 – 6/30/2017)				
Reference	Work Completed Date	Project/Activity/Request	Deadline in CD/NMC	Status/Comment (Met Requirement or any Non-Compliance)
Consent Decree V.A.15b: Water Quality Model Report	January 2017 thru June 2017	Plan and Water Quality Assurance Project Plan (QAPP) to USEPA on 1/11/2017. Updated Water Quality Monitoring and Modeling Work Plan and Water Quality Assurance Project Plan (QAPP) to include Lab SOP and QA/QC requirements. <u>Water Quality Model Report</u> Held Water Quality Sampling Team kick off teleconference on 2/28/2017 and kick off meeting on 3/6/2017. Developed and finalized sampling protocol for water quality sampling. Developed Health and Safety Plans for sampling teams. Conducted bathymetric survey of Ridley and Chester Creeks on 3/27/2017. Conducted three dry weather and three wet weather sampling events between March, 2017 and June, 2017. Held weekly sampling team teleconferences to schedule weather-dependent sampling events and to review previous sampling events. Started to develop EFDC Water Quality model. Started to develop draft Water Quality Model Report.	Work Plan due 1/13/17. 2/28/18	 On-going, On schedule
Consent Decree V.A.16: Existing Service Area Characterization	January 2017 thru June 2017	<u>Service Area Characterization Report</u> Continued to review and analyze available data relevant to Service Area Characterization. Developed draft Service Area Characterization Report.	Not later than two years (24) months after the Date of Lodging of Consent Decree, DELCORA shall submit a characterization of the Model Area Due 8/15/17	On-going, On schedule
Consent Decree V.A.17: Public Participation Plan	January 2017 thru June 2017	<u>Public Participation Plan</u> Continued to hold Stakeholders meetings with CEP. Submitted meeting notes, responsive summary and presentation to USEPA. Continued to develop website and newsletter and off-line repository binder.	2/17/19	On-going, On schedule

TABLE 3 WORK COMPLETED WITHIN THE SIX-MONTH PERIOD AND TO BE COMPLETED IN THE NEXT SIX-MONTH PERIOD DELCORA SEMI ANNUAL REPORT (1/1/2017 – 6/30/2017)				
Reference	Work Completed Date	Project/Activity/Request	Deadline in CD/NMC	Status/Comment (Met Requirement or any Non-Compliance)
		Updated binders to off-line repositories. Drafted advertisement for June 26, 2017 public meeting. Placed advertisement in local newspapers. Drafted Agenda for Public Meeting No 2. Drafted and Finalized Public Meeting No 2 Presentation. Held 2 nd Public Meeting on June 26, 2017 focusing on System Characterization of the Model Area.		
Consent Decree V.A.18: Financial Capabilities Assessment	January 2017 thru June 2017	Draft Financial Capabilities Assessment (FCA) Continued to review updated Philadelphia CSO LTCP assessment and projected charges to DELCORA. Received comments from USEPA on 2/23/2017. Developed responses to USEPA comments. Revised Draft Financial Capabilities Assessment (FCA) to incorporate USEPA comment responses including additional information in the appendix. Submitted revised Draft FCA to USEPA on 4/21/2017. Met with PADEP and USEPA on 5/22/17 to discuss Draft FCA submittal.	Respond within 60 days of receiving comments. Resubmittal Due 4/23/17	Met requirement Submitted report on 4/21/17
Consent Decree V.A.19: Development and Evaluation of CSO Alternatives	January 2017 thru June 2017	<u>Preliminary Screening of CSO Alternatives Report</u> Reviewed existing plant data. Reviewed existing plant hydraulic model and plant configuration. Reviewed existing process model and improvements for WRTF. Performed comprehensive review of available CSO control technology including green infrastructure. Developed CSO technology comparison criteria and comparison tables. Continued to develop draft Preliminary Screening of CSO Alternatives Report.	None	On-going, On schedule
Consent Decree VII: Reporting	January 2017 thru June 2017	<u>Semi-Annual Report</u> Developed Draft Report. Held Progress Meeting to discuss on 6/06/2017. Continued to update report to incorporate correspondence and SSO / CSOs and LTCPU progress. Finalized Report. Submitted Final Report 06/29/2017.	7/01/17	On schedule- All data in this semi-annual report is through June 29, 2017. Next report will include information from June 30, 2017.

TABLE 3 WORK COMPLETED WITHIN THE SIX-MONTH PERIOD AND TO BE COMPLETED IN THE NEXT SIX-MONTH PERIOD DELCORA SEMI ANNUAL REPORT (1/1/2017 – 6/30/2017)				
Reference	Work Completed Date	Project/Activity/Request	Deadline in CD/NMC	Status/Comment (Met Requirement or any Non-Compliance)
Consent Decree V.B.26: Early Action CSO Control Measures	January 2017 thru June 2017	Early Action Items EPS-01 (new EPS-07) Pump Station - Design for new Pump Station is complete. Bid has been awarded. Construction has begun. Closure of Regulator CSO-33 - Contractor has completed separation of the sewer collection system in the drainage area of CSO-33.	Place in Operation new EPS-1 by December 31, 2018	
Anticipated activities for the next 6 months				
Consent Decree V.A.15b: Water Quality Model Report	July 2017 thru December 2017	<u>Water Quality Model Report</u> Continue to develop Water Quality Model. Review Water Quality Sampling results for calibration and validation of the model. Continue to update, calibrate and validate the water quality model. Continue to develop draft Water Quality Model Report. Incorporate H&H model results into WQ model. Review preliminary alternatives. Conduct workshop with DELCORA to review Water quality Model and draft report.	<i>Within sixty (60) Days after the approved Water Quality Model Plan is fully implemented according to the schedule included in WQ Work Plan submit a Water Quality Model Report. Due 2/28/18</i>	On-going, On schedule
Consent Decree V.A.16: Existing Service Area Characterization	July 2017 thru August 2017	<u>Service Area Characterization Report</u> Continue to review and analysis of available data relevant to Service Area Characterization and investigate sensitive areas. Continue to characterize CSO discharge events and characterize receiving streams. Continue to draft Service Area Characterization Report. Finalize and submit Final Report to USEPA.	8/15/17	On-going, On schedule
Consent Decree V.A.17: Public Participation Plan	July 2017 thru December 2017	Public Participation Plan Continue to hold Stakeholders meetings with CEP. Continue to develop website and newsletter and off-line repository binder. Continue to update off-line repositories binders with new reports. Draft advertisement for 3 rd Public Meeting to be held December 05, 2017. Placed advertisement in local	2/17/19	On-going, On schedule

TABLE 3 WORK COMPLETED WITHIN THE SIX-MONTH PERIOD AND TO BE COMPLETED IN THE NEXT SIX-MONTH PERIOD DELCORA SEMI ANNUAL REPORT (1/1/2017 – 6/30/2017)				
Reference	Work Completed Date	Project/Activity/Request	Deadline in CD/NMC	Status/Comment (Met Requirement or any Non-Compliance)
		newspapers. Draft Agenda for Public Meeting No 3. Draft and Finalize Public Meeting No 3 Presentation. Hold 3 rd Public Meeting focusing on Preliminary Screening of CSO Alternatives.		
Consent Decree V.A.18: Financial Capabilities Assessment	July 2017	<u>Draft Financial Capabilities Assessment (FCA)</u> Awaiting comments from USEPA related to resubmittal of the Draft FCA and outcome of USEPA meeting. Develop responses to USEPA comments. Revise Draft Financial Capabilities Assessment (FCA) to incorporate comment responses. Resubmit revised Draft FCA to USEPA if required.	Respond within 60 days of receiving comments	On-going, On schedule
Consent Decree V.A.19: Development and Evaluation of CSO Alternatives	July 2017 thru December 2017	<u>Preliminary Screening of CSO Alternatives Report</u> Continue to review relevant plant data and models. Continue developing CSO technology comparison tables. Define Water Quality Goals. Develop preliminary alternatives to meet goals. Evaluate Green Infrastructure and other preliminary alternatives through modelling. Finalize and submit Preliminary Screening of CSO Alternatives Report to DELCORA.	None	On-going, On schedule
Consent Decree VII: Reporting	July 2017 thru December 2017	<u>Semi-Annual Report</u> Developed Draft Report. Hold Progress Meeting to review draft report. Continued to update report to incorporate correspondence and SSO / CSOs and LTCPU progress. Finalize report and submit Final Semi-Annual Report 12/30/2017.	1/1/18	On-going, On schedule

Table 4

Summary of All Contacts with the EPA and
the PADEP

TABLE 4 USEPA / PADEP CORRESPONDENCE LOG DELCORA SEMI ANNUAL REPORT (1/1/2017 – 6/30/2017)						
Date of Letter	Description	Control No.	Response Required	Date of PADEP Response	Date of USEPA Response	Notes
1/10/17	DELCORA letter to USEPA submitting Water Quality Monitoring and Modeling Quality Assurance Project Plan.	35	YES	No response to date	No response to date	Civil Action Number Case 2:15-cv-04652-RB & DOJ Case Number 90-5-1-1-10972 Water Quality Monitoring and Modeling Quality Assurance Project Plan From Michael J. DiSantis
1/10/17	DELCORA letter to USEPA submitting Water Quality Modeling and Monitoring Work Plan.	36	YES	No response to date	No response to date	Civil Action Number Case 2:15-cv-04652-RB & DOJ Case Number 90-5-1-1-10972 Water Quality Modeling and Monitoring Work Plan From Michael J. DiSantis
1/26/17	DELCORA letter to USEPA submitting Rainfall & Flow Monitoring Quarterly Report No. 3 Period of October 1, 2016 – December 31, 2016.	37	See Note 4	N/A	N/A	Civil Action Number Case 2:15-cv-04652-RB & DOJ Case Number 90-5-1-1-10972 Rainfall & Flow Monitoring Quarterly Report No. 3 From Michael J. DiSantis
2/8/17	Email from Margaret Hill to Philip Yeany detailing DELCORA contributions to Philadelphia Water Dept. for considerations in the FCA.	38	NO	N/A	N/A	Subject: RE: DELCORA/Important Information to Discuss in Connection with the Draft FCA
2/16/17	USEPA letter to Blank Rome LLP, DELCORA Counsel, denying approval and providing comments for the draft Financial Capability Assessment (FCA) Report.	39	YES	N/A	N/A	Re: DELCORA Draft Financial Capability Assessment
2/27/17	Email from Margaret Hill to Philip Yeany stating receipt of Draft FCA Disapproval from USEPA on 2/24/17.	40	NO	N/A	N/A	Subject: RE: DELCORA/Important Information to Discuss in Connection with the Draft FCA
3/7/17	Emails from Michael J. DiSantis regarding conversation with Andrew Seligman relating to consent decree issues and Water Quality Monitoring Program.	41	NO	N/A	N/A	Subject: DELCORA LTCP – Water Quality Monitoring Program
3/8/17	Email from Margaret Hill to Philip Yeany sending third request for a meeting with USEPA for a meeting on the FCA.	42	NO	N/A	3/17/17	Subject: RE: DELCORA/Important Information to Discuss in Connection with the Draft FCA
3/17/17	Email from Philip Yeany to Margaret Hill providing several tentative dates for a meeting between USEPA, DELCORA, and PADEP on the FCA.	43	NO	N/A	3/30/17	Subject: RE: DELCORA/Important Information to Discuss in Connection with the Draft FCA
3/30/17	Email from Philip Yeany providing earliest dates that USEPA and PADEP are available to meet.	44	NO	N/A	N/A	Subject: RE: DELCORA/Important Information to Discuss in Connection with the Draft FCA

TABLE 4 USEPA / PADEP CORRESPONDENCE LOG DELCORA SEMI ANNUAL REPORT (1/1/2017 – 6/30/2017)						
Date of Letter	Description	Control No.	Response Required	Date of PADEP Response	Date of USEPA Response	Notes
3/30/17	Email from Margaret Hill to Philip Yeany acknowledging possible dates for a meeting between USEPA, DELCORA, and PADEP to discuss the FCA, and inquiring as to the reason for the 8 month delay between DELCORA's initial request and the meeting taking place.	45	NO	N/A	N/A	Subject: RE: DELCORA/Important Information to Discuss in Connection with the Draft FCA
4/9/17	Email from Philip Yeany confirming meeting between DELCORA, USEPA, and PADEP for May 11, 2017 at 1:00 pm.	46	NO	N/A	N/A	Subject: RE: DELCORA/Important Information to Discuss in Connection with the Draft FCA
4/10/17	Email from Philip Yeany cancelling May 11 meeting between DELCORA, USEPA, and PADEP.	47	NO	N/A	N/A	Subject: RE: DELCORA/Important Information to Discuss in Connection with the Draft FCA
4/21/17	DELCORA letter to USEPA submitting revised Draft Financial Capabilities Assessment Report (Revised April 2017).	48	YES	No response to date	No response to date	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
4/28/17	DELCORA letter to USEPA submitting Rainfall & Flow Monitoring Quarterly Report No. 4 Period of January 1, 2017 – April 1, 2017.	49	See Note 4	N/A	N/A	Civil Action Number Case 2:15-cv-04652-RB & DOJ Case Number 90-5-1-1-10972 Rainfall & Flow Monitoring Quarterly Report No. 4 From Michael J. DiSantis
5/11/17	Email from Chrisna Baptista (USEPA) confirming meeting between DELCORA, USEPA, and PADEP for May 22, 2017 at 1:30.	50	NO	N/A	N/A	Subject: RE: DELCORA/Important Information to Discuss in Connection with the Draft FCA
6/29/17	DELCORA letter to USEPA submitting Consent Decree Semi Annual Report No 2, Reporting Period January 1, 2017 – June 29, 2017.	51	See Note 4	N/A	N/A	Civil Action Number Case 2:15-cv-04652-RB & DOJ Case Number 90-5-1-1-10972 Consent Decree Semi Annual Report No 4. Report From Michael J. DiSantis
6/30/17	DELCORA letter to USEPA submitting Sewer System H&H Model Report.	52	YES	No response to date	No response to date	Civil Action Number Case 2:15-cv-04652-RB & DOJ Case Number 90-5-1-1-10972 Sewer System H&H Model Report From Michael J. DiSantis

NOTES:

1. Copies of Correspondence are in Appendix 2
2. Control numbers 1 thru 19 are included in the Correspondence Log submitted under Semi-Annual Report No. 2
3. Control numbers 20 thru 34 are included in the Correspondence Log submitted under Semi-Annual Report No. 3
4. Report has been submitted to USEPA and PADEP per Consent Order requirements. Without notification otherwise, DELCORA considers Consent Decree requirements have been met. See also Table 1 of this report.

Table 5

Summary of any Exceedances of NPDES Permit Limitations

Table 6

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 (1/1/2017 – 6/30/2017) DELCORA Permit No. PA0027103						
Date of Occurrence	Location	Event	Frequency	Duration	Volume	Comment
2/17/2017	Manhole # 1771 near 2757 Bethel Rd.	SSO	Once	Start time - unknown. Call received at 2:00 PM. Ended 2/17/2017 at 4:18 PM.	Unknown	Report sent 2/21/2017 within 5 days of occurrence. Called PADEP at 3:26 PM, same day of occurrence.
3/3/2017	3201 W. Front Street (WRTP)	SSO	Once	Start time - approximately 1:45 PM. Ended 3/3/2017 at 2:00 PM.	Unknown	Report sent 3/6/2017 within 5 days of occurrence. Called PADEP at 3:05 PM, same day of occurrence.
4/10/2017	14 th and Crozer	SSO	Once	Start time – approximately 11:45 AM Ended 4/10/2017 at 2:10 PM	Unknown, minimal discharge	Report sent 4/11/2017 within 5 days of occurrence. Called PADEP at 12:45 PM, same day of occurrence.
4/17/2017	Widener University	SSO	Once	Start time – unknown, received call at 11:30 AM. Ended 1:00 PM	Estimated 50 gallons	Report sent 4/18/2017 within 5 days of occurrence. Called PADEP at 1:20 PM, same day of occurrence.
6/14/2017	E. 14 th St. between I-95 and Widener University	SSO	Once	Start time – unknown, received call at 10:00 AM. Ended 10:45 AM	Estimated 250 gallons	Report sent 6/14/2017, same day of occurrence. Called PADEP at 10:11 AM, same day of occurrence.
6/26/17	15 th & Arbor Drive	SSO	Once	Start time – unknown, received call at 12:00 PM. Ended 12:20 PM	Estimated 100 gallons on roadway	Report sent 6/27/2017, within 5 days of occurrence. Called PADEP at 1:00 PM, same day of occurrence.
1.	DWO – Dry Weather Overflow; SSO – Sanitary Sewer Overflow; CSO – Combined Sewer Overflow					
2.	Copy of Reports are in Appendix 4					

Appendix 1

Additional Correspondence

(NO ADDITIONAL CORRESPONDENCE
SUBMITTED DURING JANUARY 2017
TO JUNE 2017)

Appendix 2

Notification Letters



DELAWARE COUNTY REGIONAL WATER QUALITY CONTROL AUTHORITY
P.O. Box 999 • Chester, PA 19016-0999

January 10, 2017

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
Water Quality Monitoring and Modeling
Quality Assurance Project Plan

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

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



DELAWARE COUNTY REGIONAL WATER QUALITY CONTROL AUTHORITY
P.O. Box 999 • Chester, PA 19016-0999

January 10, 2017

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
Water Quality Modeling and Monitoring Work Plan

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

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



DELAWARE COUNTY REGIONAL WATER QUALITY CONTROL AUTHORITY
P.O. Box 999 • Chester, PA 19016-0999

January 26, 2017

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
Rainfall and Flow Monitoring Quarterly Report No. 3
Period of October 1, 2016 – December 31, 2016

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

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

Rodier, Shawn

From: DiSantis, Michael <disantism@delcora.org>
Sent: Wednesday, February 08, 2017 6:26 PM
To: Willert, Robert; Pileggi, John; Hurst, Charles; Bothwell, Ed; Hope, Michael; Finizio, Marlene; Lenton, Chris
Subject: Fwd: DELCORA/IMPORTANT INFORMATION TO DISCUSS IN CONNECTION WITH THE DRAFT FCA
Attachments: PWD INFORMATION; ATT00001.htm; DELCORA CHART; ATT00002.htm

FYI

Michael J. DiSantis
Director of Operations and Maintenance
DELCORA
100 E. 5th Street
Chester, PA 19013
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: "Hill, Margaret A." <mhill@blankrome.com<mailto:mhill@blankrome.com>>
Date: February 8, 2017 at 5:49:10 PM EST
To: "DiSantis, Michael" <disantism@delcora.org<mailto:disantism@delcora.org>>
Subject: FW: DELCORA/IMPORTANT INFORMATION TO DISCUSS IN CONNECTION WITH THE DRAFT FCA

Mike
FYI~
Peg

From: Hill, Margaret A.
Sent: Wednesday, February 8, 2017 5:48 PM
To: 'Yeany, Philip' <Yeany.Philip@epa.gov<mailto:Yeany.Philip@epa.gov>>
Cc: 'Smolski, Robert' <Smolski.Robert@epa.gov<mailto:Smolski.Robert@epa.gov>>; 'Seligman, Andrew' <Seligman.Andrew@epa.gov<mailto:Seligman.Andrew@epa.gov>>; 'Horner-Hanley, Amy' <horner-hanley.amy@epa.gov<mailto:horner-hanley.amy@epa.gov>>; 'Day, Joanna' <Day.Joanna@epa.gov<mailto:Day.Joanna@epa.gov>>; 'Zimny, James' <zimny.james@epa.gov<mailto:zimny.james@epa.gov>>
Subject: RE: DELCORA/IMPORTANT INFORMATION TO DISCUSS IN CONNECTION WITH THE DRAFT FCA
Importance: High

Phil ~

On January 31, 2017, DELCORA met with the Acting Water Program Manager for EPA Region III, Dominique Lueckenhoff, on a matter separate from the LTCP and the Consent Decree; Andrew Seligman (copied here) was in attendance. During the meeting, there was an opportunity to discuss the LTCP and DELCORA noted that the contributions costs to the Philadelphia Water Department's LTCP have increased rather dramatically.

I am attaching the Excel spreadsheet received by DELCORA from PWD, as well as a chart that DELCORA provided so that EPA can easily understand the increased contributions up to the year 2040. In short, the DELCORA contribution has increased from \$178 Million to \$ 400 plus Million (more than double the estimated costs).

Andrew Seligman advised Mike DiSantis during the meeting to ensure that this information was forwarded by Counsel to DELCORA to you in connection with EPA's and DOJ's review of the draft FCA which was submitted, and the Agency's comments that were provided.

As you know, the contribution to the Philadelphia PWD's LTCP was a factor that DELCORA, DOJ and EPA have discussed and considered in connection with the FCA. And, of course, DELCORA has requested and has been waiting for months to have its requested meeting to discuss the Draft FCA and the government's comments.

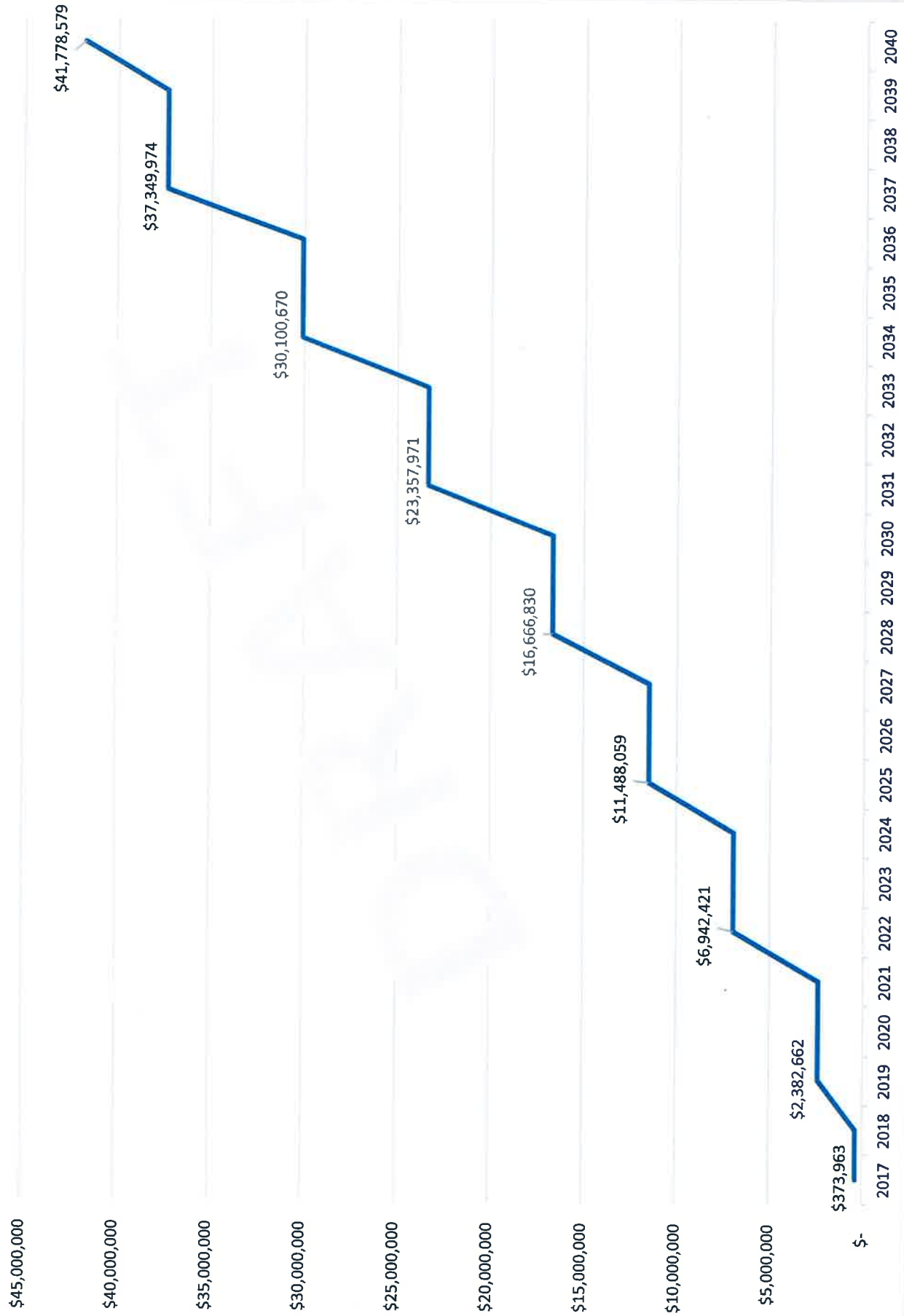
DELCORA requests that you review the attached as well as your comments again on the FCA, since this new information demonstrates a significant financial change to DELCORA. In fact, the Draft FCA will need to be revised to reflect this new information.

If you have any questions, call me.
Regards,

Margaret Anne Hill
Partner and Chair,
Energy, Environment and Mass Torts Practice Group Blank Rome LLP One Logan Square Philadelphia, PA 19103
215-569-5331 (P)
215-832-5331 (F)
215-500-7585 (Cell)
And
1825 Eye Street, NW
Washington, D.C. 20006
202-772-5811
MHill@BlankRome.com<mailto:MHill@BlankRome.com>

This message and any attachments may contain confidential or privileged information and are only for the use of the intended recipient of this message. If you are not the intended recipient, please notify the sender by return email, and delete or destroy this and all copies of this message and all attachments. Any unauthorized disclosure, use, distribution, or reproduction of this message or any attachments is prohibited and may be unlawful.

PWD LTCP Costs



DRAFT - Information provided by PWD in an email dated 11.16.16



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

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

FEB 16 2017

Ms. Margaret Anne Hill
Partner and Chair,
Environmental, Energy, and Natural Resources Practice Group
Blank Rome LLP
One Logan Square
Philadelphia, PA 19103

Re: DELCORA Draft Financial Capability Assessment
(Revised November 2016)

Thank you for the November 17, 2016 re-submission of the *Draft Financial Capability Assessment Report* (Rev. Nov. 2016) (*FCA*) on behalf of the Delaware County Regional Water Quality Control Authority (DELCORA). Our understanding is that the *FCA* is in response to the comments the U.S. Environmental Protection Agency (EPA) provided to DELCORA on September 15, 2016.

EPA has reviewed the *FCA* for compliance with Paragraph 18 of the Consent Decree entered into between EPA, DELCORA and the Pennsylvania Department of Environmental Protection. As you are aware, Paragraph 18 of the Consent Decree requires DELCORA to prepare a draft Financial Capability Assessment that displays the methodology DELCORA intends to use once DELCORA has identified the costs of implementing the Long Term Control Plan (LTCP). Based upon EPA's review of the *FCA* we find that it fails to comply with Paragraph 18 of the Consent Decree. The *FCA* is deficient for the following reasons:

1. Model Area: Consistent with the terms of the Consent Decree, the Model Area must include the entire Eastern Service Area. DELCORA has expanded the *FCA*'s discussion of the basis for having the Model Area include the Western Service Area plus the Central Authority of the Eastern Service Area (Page 1-4, *FCA*). However, DELCORA's exclusion of the rest of the Eastern Service Area in its assessments is inconsistent with the Consent Decree.

Paragraph 18 of the Consent Decree requires that the Financial Capability Assessment include:

information on sewer rate setting and median household income and number of households in the entire Model Area (as defined in Paragraph 14.b above), as well as information on all other financial resources available to DELCORA.
[Emphasis added.]



Printed on 100% recycled/recyclable paper with 100% post-consumer fiber and process chlorine free.
Customer Service Hotline: 1-800-438-2474

Paragraph 14.b of the Consent Decree defines "Model Area" to include: all areas tributary to the entire Collection System, as well as all areas tributary to all municipal wastewater collection and transmission systems that are, as of the date the LTCP is submitted, hydraulically connected to, or that directly or indirectly influence flow to, the CSOs and/or the W RTP, regardless of who owns or operates the system(s), including but not limited to the entire "Western Service Area" and "Eastern Service Area." [Emphasis added.]

Financially and operationally, DELCORA controls the wastewater flows discharged from the Eastern Service Area and Western Service Area. In the Eastern Service Area, DELCORA owns and operates the three major pumping stations that transmit the wastewater from the Central Delaware County Authority, the Muckinipates Authority and the Darby Creek Authority. DELCORA is responsible for conveying the Eastern Service Area wastewater to DELCORA's W RTP via the DELCORA's central diversion force main or through DELCORA's eastern force mains to the City of Philadelphia's Southwest Water Pollution Control Plant (SWWPCP). DELCORA controls the wastewater flow from the DELCORA's Central Delaware Pump Station that goes either to the W RTP or to the SWWPCP. If flows to the central diversion force main exceed 20 MGD, DELCORA can divert the flow to the SWWPCP. If the flows from the three pump stations to the SWWPCP exceed the limits in the contract with Philadelphia, DELCORA can send more flow to the W RTP up to a maximum of 20 MGD.

DELCORA has a contract with Philadelphia to pay for both treatment and a portion of Philadelphia's LTCP costs. As listed above, DELCORA owns the pump stations and force mains located within the Eastern Service Area that transmit wastewater to either the SWWPCP or the W RTP. DELCORA needs to revise the FCA to include the entire Eastern Service area, including the costs of sending wastewater flow to the Philadelphia treatment plant and related Philadelphia LTCP costs.

2. Allocation of Financial Capability Based on Wet Weather Flow Relative to Combined Sewers' Documentation. In response to our comment, DELCORA appears to have adjusted the analysis slightly with respect to taking a fuller engineering-based examination of a wide range of options involving the service area beyond Chester City. (Item 4 below also relates to this.) As EPA noted in its letter of September 15, 2016, DELCORA must consider, among other things, "inflow and infiltration to sanitary sewers that may occur during storm events and the impacts of the various control alternatives on such inflow and infiltration." The impact of the calculations described on pages 4-3 and 4-4 of the FCA on DELCORA's ultimate analysis and approach to resolving the CSO and other compliance issues remains unclear. The FCA needs to have a more detailed and transparent explanation of the basis for the calculations and the calculations' impact on the analysis and approach to resolving CSO and other compliance issues.
3. Backup for Current and Demographic Data. The FCA's Appendices 6 through 13 are partially responsive to EPA's request for detailed backup to the FCA computations. These Appendices include source documents without any explanation or citations of the derivation of the computations in the FCA analysis for the "Model Area." To expedite EPA's review of

DELCORA's FCA, we request that DELCORA provide the spreadsheets supporting the FCA calculations, including identification of specific source data and computations. Also note that the Financial Capability Indicator should be for the permit holder, DELCORA, not for Chester City.

4. Allocation of Costs to Chester City: EPA's September 15, 2016 letter expressed concern that DELCORA was proposing to assign the bulk of the CSO costs to Chester City, an area which accounts for a small percentage of the Model Area households and flow. In the FCA, it appears that DELCORA has slightly adjusted its allocation of costs, but persists in allocating wastewater treatment costs and combined sewer overflow costs specific to Chester City in a proportion greater than Chester City's size relative to the service area flow or households. As a result, Chester's cost per household (\$323 on 2015 basis) is significantly higher than the cost per household for the Model Area (\$279 on 2015 basis). DELCORA explains the basis for this allocation on page 4-3 of the revised report: "...the allocation of costs for CSO abatement has been revised to distribute costs not to Chester City alone but rather to the Model Area customers in proportion to their contribution to CSO volume as well as excess volume generated from separate sewer communities within the Model Area during wet weather."

While EPA accepts the analysis of the potential impact of the LTCP on residents of Chester City, an analysis that allocates all or much of the LTCP costs to Chester City is not acceptable. As the permittee, DELCORA is the responsible party for completing the injunctive relief, not Chester City. Therefore, the concerns EPA expressed in the September 15 letter remain. (EPA requests the underlying basis and calculations supporting the allocations of costs, and notes that the issues raised in Item 2, above, also relate to Item 4.)

There are other details, such as cost basis, which EPA has not thoroughly reviewed due to the methodological shortcomings identified above. Thus, EPA may have additional comments on any resubmittals. According to paragraph 35 of the CD, DELCORA has sixty days in which to address these deficiencies and resubmit the revised report to EPA, and/or invoke the Dispute Resolution process set forth in Section XII of the CD.

EPA is happy to meet with DELCORA to discuss the above analysis in more detail. Please call Philip Yeany at 215-814-2495 or contact him at yeany.philip@epa.gov to set up a meeting. Please let him know if you have any questions.

Sincerely,



Andrew Dinsmore, Acting Chief
NPDES Enforcement Branch

cc: Morgan Rog
Andrew Seligman
Philip Yeany
James Zimny
Crisna Baptista

Rodier, Shawn

From: Finizio, Marlene
Sent: Monday, May 01, 2017 1:48 PM
To: Rodier, Shawn
Subject: FW: DELCORA LTCP - Water Quality Monitoring Program

-----Original Message-----

From: DiSantis, Michael [mailto:disantism@delcora.org]
Sent: Tuesday, March 07, 2017 8:13 AM
To: Hope, Michael <mhope@greeley-hansen.com>; Peg Hill <mhill@blankrome.com>
Cc: Bothwell, Ed <BothwellE@delcora.org>; Hurst, Charles <hurstc@delcora.org>; Pileggi, John <PileggiJ@delcora.org>; Isler, Lindsey <islerl@delcora.org>; Finizio, Marlene <mfinizio@greeley-hansen.com>; Willert, Robert <willertr@delcora.org>
Subject: Re: DELCORA LTCP - Water Quality Monitoring Program

Mike:

As an update on this issue, I left a message for Andrew Seligman last week after receiving your email. I didn't get a return call. I called yesterday and spoke with him (sort of). He stated that he was under orders from Phil Yeany not to discuss any CD issues until it is cleared by him. Per Andrew, Mr. Yeany further stated Peg Hill would have to contact him to discuss the parameters of any correspondence/discussion that would be allowed without the involvement of the respective attorneys. I will follow up with Peg.

Thanks

Michael J. DiSantis
Director of Operations and Maintenance
DELCORA
100 E. 5th Street
Chester, PA 19013
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>

On Feb 27, 2017, at 6:22 PM, Hope, Michael <mhope@greeley-hansen.com<mailto:mhope@greeley-hansen.com>> wrote:

Mike:

We previously discussed the need to begin the implementation of the water quality monitoring program for the above referenced project in order to maintain the Consent Decree schedule. We also discussed the potential risk for beginning the sampling program prior to receiving approval from the USEPA and PADEP on same. Our major concern is that if the USEPA and PADEP does not ultimately agree with the Water Quality Monitoring and Modeling Quality Assurance Project Plan (QAPP) and the Water Quality Monitoring and Modeling Work Plan (Work Plan) as currently proposed, it could have negative impacts on the schedule and could result in additional costs. The best-case scenario would be to receive USEPA and PADEP's approval on the entire QAPP and Work Plan prior to beginning the sampling program. However, in lieu of receiving this approval in adequate time, we discussed the option of possibly asking USEPA and PADEP to at least approve some of the higher priority items that are listed in the QAPP and Work Plan, while they then review the remainder of the documents in the entirety.

The below is a list of some of the higher priority components of the water quality monitoring program. If USEPA and PADEP could provide some assurances that they are in agreement with what is proposed for these components, it would

not completely eliminate the risk of proceeding with the sampling program prior to approval, but it would help to at least mitigate the risk.

The priorities are:

1. Sampling locations;
2. Parameters;
3. Sampling intervals; and
4. Wet and dry weather sampling conditions.

Essentially, if USEPA and PADEP could concentrate their initial review efforts on Section 3.4 through Section 3.6 of the Work Plan and approve those sections, that should cover the above priorities.

For your reference, the QAPP and Work Plan were submitted to the USEPA and PADEP on January 10, 2017 for next day delivery on January 11, 2017.

There are other items listed in the QAPP and the Work Plan that also need USEPA and PADEP approval, but the above are the higher priority items.

Please let us know your thoughts and if you have any questions.

Thank you for your help with this.

<image001.jpg>

Michael J. Hope, P.E.

Managing Director

1700 Market Street, Suite 2130

Philadelphia, Pennsylvania 19103

P: 215.553.7917

greeley-hansen.com<<http://www.greeley-hansen.com/>>

<image002.png><<https://www.facebook.com/greeleyhansen>>

<image003.png><<http://www.linkedin.com/company/26576?trk=tyah&trkInfo=tas:greeley,idx:3-1-3>>

<image004.jpg><https://twitter.com/greeley_hansen>

<image005.png><<https://plus.google.com/114881654369861562154/about>>

<image006.jpg><<https://www.youtube.com/user/greeleyandhansen>>

Rodier, Shawn

From: Finizio, Marlene
Sent: Monday, May 01, 2017 1:50 PM
To: Rodier, Shawn
Subject: FW: DELCORA/IMPORTANT INFORMATION TO DISCUSS IN CONNECTION WITH THE DRAFT FCA

-----Original Message-----

From: DiSantis, Michael [mailto:disantism@delcora.org]
Sent: Friday, March 31, 2017 11:54 AM
To: Hurst, Charles <hurstc@delcora.org>; Pileggi, John <PileggiJ@delcora.org>; Bothwell, Ed <BothwellE@delcora.org>; Hope, Michael <mhope@greeley-hansen.com>; Finizio, Marlene <mfinizio@greeley-hansen.com>
Subject: Fwd: DELCORA/IMPORTANT INFORMATION TO DISCUSS IN CONNECTION WITH THE DRAFT FCA

Please see below regarding potential dates for the LTCPU FCA meeting.

Michael J. DiSantis
Director of Operations and Maintenance
DELCORA
100 E. 5th Street
Chester, PA 19013
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: "Hill, Margaret A." <mhill@blankrome.com<mailto:mhill@blankrome.com>>
Date: March 30, 2017 at 4:00:20 PM EDT
To: "Yeany, Philip" <Yeany.Philip@epa.gov<mailto:Yeany.Philip@epa.gov>>
Cc: "Gelles, William H" <wgelles@pa.gov<mailto:wgelles@pa.gov>>, "DiSantis, Michael" <disantism@delcora.org<mailto:disantism@delcora.org>>, "Willert, Robert" <willertr@delcora.org<mailto:willertr@delcora.org>>
Subject: RE: DELCORA/IMPORTANT INFORMATION TO DISCUSS IN CONNECTION WITH THE DRAFT FCA

Ok; thanks.

Who do you have included from EPA on the invite list? I am interested in understanding how this meeting once scheduled will be 8 months out from DELCORA's request.

I am copying our client so they understand the reason for the delays.

Also, no reason not to include this document in the public files, subject to a FOIA Request.

From: Yeany, Philip [mailto:Yeany.Philip@epa.gov]
Sent: Thursday, March 30, 2017 3:50 PM
To: Hill, Margaret A. <mhill@blankrome.com<mailto:mhill@blankrome.com>>
Cc: Gelles, William H <wgelles@pa.gov<mailto:wgelles@pa.gov>>
Subject: RE: DELCORA/IMPORTANT INFORMATION TO DISCUSS IN CONNECTION WITH THE DRAFT FCA

Peg,

The earliest possible date that EPA and DEP staff are available to meet is May 11. May 23 and 26 may also be possible but I am still checking with everyone on those two dates.

Phil

Philip Yeany
Senior Assistant Regional Counsel
Desk: 215-814-2495
Fax: 215-814-2602
Email: yeany.philip@epa.gov<mailto:yeany.philip@epa.gov>

From: Hill, Margaret A. [mailto:mhill@blankrome.com]
Sent: Friday, March 17, 2017 3:38 PM
To: Yeany, Philip <Yeany.Philip@epa.gov<mailto:Yeany.Philip@epa.gov>>
Cc: Fericelli, Paul <fericelli.paul@epa.gov<mailto:fericelli.paul@epa.gov>>; Baptista, Chrisna <Baptista.Chrisna@epa.gov<mailto:Baptista.Chrisna@epa.gov>>; Seligman, Andrew <Seligman.Andrew@epa.gov<mailto:Seligman.Andrew@epa.gov>>
Subject: Re: DELCORA/IMPORTANT INFORMATION TO DISCUSS IN CONNECTION WITH THE DRAFT FCA

Thank you

On Mar 17, 2017, at 3:16 PM, Yeany, Philip <Yeany.Philip@epa.gov<mailto:Yeany.Philip@epa.gov>> wrote:
Peg:

I have the following tentative dates for a meeting.: April 6, 7, 10, 12, 20, and 21. I There are two attendees have to check with to make sure that they could make these dates. However, I wanted to give you something to work with.

Phil

Philip Yeany
Senior Assistant Regional Counsel
Desk: 215-814-2495
Fax: 215-814-2602
Email: yeany.philip@epa.gov<mailto:yeany.philip@epa.gov>

From: Hill, Margaret A. [mailto:mhill@blankrome.com]
Sent: Friday, March 10, 2017 11:38 AM
To: Yeany, Philip <Yeany.Philip@epa.gov<mailto:Yeany.Philip@epa.gov>>
Cc: Baptista, Chrisna <Baptista.Chrisna@epa.gov<mailto:Baptista.Chrisna@epa.gov>>
Subject: RE: DELCORA/IMPORTANT INFORMATION TO DISCUSS IN CONNECTION WITH THE DRAFT FCA

Thank you

From: Yeany, Philip [mailto:Yeany.Philip@epa.gov]
Sent: Friday, March 10, 2017 10:37 AM
To: Hill, Margaret A. <mhill@blankrome.com<mailto:mhill@blankrome.com>>
Cc: Baptista, Chrisna <Baptista.Chrisna@epa.gov<mailto:Baptista.Chrisna@epa.gov>>
Subject: RE: DELCORA/IMPORTANT INFORMATION TO DISCUSS IN CONNECTION WITH THE DRAFT FCA

Peg,

I will get back to you with proposed dates next week. There is a slight delay because we have a new attorney and engineer from EPA Headquarters.

Phil

Philip Yeany
Senior Assistant Regional Counsel
Desk: 215-814-2495
Fax: 215-814-2602

Email: yeany.philip@epa.gov<mailto:yeany.philip@epa.gov>

From: Hill, Margaret A. [mailto:mhill@blankrome.com]

Sent: Wednesday, March 08, 2017 3:49 PM

To: Yeany, Philip <Yeany.Phillip@epa.gov<mailto:Yeany.Phillip@epa.gov>>

Cc: Smolski, Robert <Smolski.Robert@epa.gov<mailto:Smolski.Robert@epa.gov>>; Seligman, Andrew

<Seligman.Andrew@epa.gov<mailto:Seligman.Andrew@epa.gov>>; Horner-Hanley, Amy <horner-

hanley.amy@epa.gov<mailto:horner-hanley.amy@epa.gov>>; Zimny, James

<zimny.james@epa.gov<mailto:zimny.james@epa.gov>>; Dinsmore, Andrew

<Dinsmore.Andrew@epa.gov<mailto:Dinsmore.Andrew@epa.gov>>; DiSantis, Michael

<disantism@delcora.org<mailto:disantism@delcora.org>>; Willert, Robert

<willertr@delcora.org<mailto:willertr@delcora.org>>

Subject: RE: DELCORA/IMPORTANT INFORMATION TO DISCUSS IN CONNECTION WITH THE DRAFT FCA

Importance: High

Phil

By this email, I am advising/confirming my request to you yesterday, March 7, 2017, that DELCORA is still requesting a meeting to discuss the FCA as drafted, and the comments we received below on February 24th from Andrew Dinsmore.

Our original request was made on September 21, 2016 – six months ago – so we are frankly surprised that Mr. Dinsmore asked if we wanted a meeting. We have been waiting for six months to have a discussion regarding the draft FCA.

Regards,

Margaret Anne Hill

Partner and Chair,

Energy, Environment and Mass Torts Practice Group Blank Rome LLP One Logan Square Philadelphia, PA 19103

215-569-5331 (P)

215-832-5331 (F)

215-500-7585 (Cell)

And

1825 Eye Street, NW

Washington, D.C. 20006

202-772-5811

MHill@BlankRome.com<mailto:MHill@BlankRome.com>

From: Hill, Margaret A.

Sent: Monday, February 27, 2017 4:32 PM

To: 'Yeany, Philip' <Yeany.Phillip@epa.gov<mailto:Yeany.Phillip@epa.gov>>

Cc: 'Smolski, Robert' <Smolski.Robert@epa.gov<mailto:Smolski.Robert@epa.gov>>; 'Seligman, Andrew'

<Seligman.Andrew@epa.gov<mailto:Seligman.Andrew@epa.gov>>; 'Horner-Hanley, Amy' <horner-

hanley.amy@epa.gov<mailto:horner-hanley.amy@epa.gov>>; 'Day, Joanna'

<Day.Joanna@epa.gov<mailto:Day.Joanna@epa.gov>>; 'Zimny, James'

<zimny.james@epa.gov<mailto:zimny.james@epa.gov>>; Dinsmore, Andrew

<Dinsmore.Andrew@epa.gov<mailto:Dinsmore.Andrew@epa.gov>>

Subject: RE: DELCORA/IMPORTANT INFORMATION TO DISCUSS IN CONNECTION WITH THE DRAFT FCA

Importance: High

Phil

This email is to advise that the Andrew Dinsmore letter dated by EPA as of February 16th and mailed out as Certified Mail on February 17th was received by Blank Rome LLP on February 24th.

We will be responding.

Margaret Hill

From: Hill, Margaret A.

Sent: Wednesday, February 8, 2017 5:48 PM

To: 'Yeany, Philip' <Yeany.Philip@epa.gov<mailto:Yeany.Philip@epa.gov>>
Cc: 'Smolski, Robert' <Smolski.Robert@epa.gov<mailto:Smolski.Robert@epa.gov>>; 'Seligman, Andrew' <Seligman.Andrew@epa.gov<mailto:Seligman.Andrew@epa.gov>>; 'Horner-Hanley, Amy' <horner-hanley.amy@epa.gov<mailto:horner-hanley.amy@epa.gov>>; 'Day, Joanna' <Day.Joanna@epa.gov<mailto:Day.Joanna@epa.gov>>; 'Zimny, James' <zimny.james@epa.gov<mailto:zimny.james@epa.gov>>
Subject: RE: DELCORA/IMPORTANT INFORMATION TO DISCUSS IN CONNECTION WITH THE DRAFT FCA
Importance: High

Phil ~

On January 31, 2017, DELCORA met with the Acting Water Program Manager for EPA Region III, Dominique Lueckenhoff, on a matter separate from the LTCP and the Consent Decree; Andrew Seligman (copied here) was in attendance. During the meeting, there was an opportunity to discuss the LTCP and DELCORA noted that the contributions costs to the Philadelphia Water Department's LTCP have increased rather dramatically.

I am attaching the Excel spreadsheet received by DELCORA from PWD, as well as a chart that DELCORA provided so that EPA can easily understand the increased contributions up to the year 2040. In short, the DELCORA contribution has increased from \$178 Million to \$ 400 plus Million (more than double the estimated costs).

Andrew Seligman advised Mike DiSantis during the meeting to ensure that this information was forwarded by Counsel to DELCORA to you in connection with EPA's and DOJ's review of the draft FCA which was submitted, and the Agency's comments that were provided.

As you know, the contribution to the Philadelphia PWD's LTCP was a factor that DELCORA, DOJ and EPA have discussed and considered in connection with the FCA. And, of course, DELCORA has requested and has been waiting for months to have its requested meeting to discuss the Draft FCA and the government's comments.

DELCORA requests that you review the attached as well as your comments again on the FCA, since this new information demonstrates a significant financial change to DELCORA. In fact, the Draft FCA will need to be revised to reflect this new information.

If you have any questions, call me.
Regards,

Margaret Anne Hill
Partner and Chair,
Energy, Environment and Mass Torts Practice Group Blank Rome LLP One Logan Square Philadelphia, PA 19103
215-569-5331 (P)
215-832-5331 (F)
215-500-7585 (Cell)
And
1825 Eye Street, NW
Washington, D.C. 20006
202-772-5811
MHill@BlankRome.com<mailto:MHill@BlankRome.com>

This message and any attachments may contain confidential or privileged information and are only for the use of the intended recipient of this message. If you are not the intended recipient, please notify the sender by return email, and delete or destroy this and all copies of this message and all attachments. Any unauthorized disclosure, use, distribution, or reproduction of this message or any attachments is prohibited and may be unlawful.



DELAWARE COUNTY REGIONAL WATER QUALITY CONTROL AUTHORITY
P.O. Box 999 • Chester, PA 19016-0999

April 21, 2017

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
(Revised April 2017)

Dear Sir/Madam:

By this letter, the Delaware County Regional Water Quality Control Authority is enclosing a copy of the above mentioned report and responses to USEPA/PADEP comments 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

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



DELAWARE COUNTY REGIONAL WATER QUALITY CONTROL AUTHORITY
P.O. Box 999 • Chester, PA 19016-0999

April 28, 2017

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
Rainfall and Flow Monitoring Quarterly Report No. 4
Period of January 1, 2017 – April 1, 2017

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

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

Rodier, Shawn

From: DiSantis, Michael <disantism@delcora.org>
Sent: Friday, May 12, 2017 8:56 AM
To: Hurst, Charles; Bothwell, Ed; Pileggi, John; Hope, Michael; Finizio, Marlene; Cronin, Edward; Brady, Brian
Cc: Willert, Robert
Subject: FW: DELCORA/

Please see below and block out this time for the FCA meeting with EPA.

Thanks

Michael J. DiSantis
Director of Operations & Maintenance
DELCORA
100 E. 5th Street
Chester, PA 19013
Office: 610.876.5523, ext. 264
Fax: 610.497.7851
Cell: 484.574.7704
www.delcora.org

From: Baptista, Chrisna [<mailto:Baptista.Chrisna@epa.gov>]
Sent: Thursday, May 11, 2017 3:43 PM
To: Hill, Margaret A. <mhill@blankrome.com>; Yeany, Philip <Yeany.Philip@epa.gov>
Cc: DiSantis, Michael <disantism@delcora.org>
Subject: RE: DELCORA/

Hi Peg,

It looks like the afternoon of May 22 (1:30 or 2pm) will work. I will put holds on calendars here.

Chrisna Baptista, Attorney-Adviser
Office of Civil Enforcement
Water Enforcement Division
Phone: (202) 564-4272
E-mail: baptista.chrisna@epa.gov

NOTICE: This email and its attachments may contain privileged or other confidential information. If you are not the intended recipient, or believe that you have received this communication in error, please delete the copy you received and do not print, copy, retransmit, disseminate, or otherwise use the information.

From: Hill, Margaret A. [<mailto:mhill@blankrome.com>]
Sent: Thursday, May 11, 2017 3:28 PM
To: Baptista, Chrisna <Baptista.Chrisna@epa.gov>; Yeany, Philip <Yeany.Philip@epa.gov>
Cc: DiSantis, Michael <disantism@delcora.org>
Subject: RE: DELCORA/

Ok; with a July meeting , EPA is almost at one full year in its delay to meet with us.

From: Baptista, Chrisna [<mailto:Baptista.Chrisna@epa.gov>]
Sent: Thursday, May 11, 2017 3:21 PM
To: Hill, Margaret A. <mhill@blankrome.com>; Yeany, Philip <Yeany.Philip@epa.gov>
Cc: DiSantis, Michael <disantism@delcora.org>
Subject: RE: DELCORA/

Reconfirming with PA DEP. They had originally noted they were free May 24 and 25 but could try to make other dates work. As soon as I hear back from PA, I will let you know.

Chrisna Baptista, Attorney-Adviser
Office of Civil Enforcement
Water Enforcement Division
Phone: (202) 564-4272
E-mail: baptista.chrisna@epa.gov

NOTICE: This email and its attachments may contain privileged or other confidential information. If you are not the intended recipient, or believe that you have received this communication in error, please delete the copy you received and do not print, copy, retransmit, disseminate, or otherwise use the information.

From: Hill, Margaret A. [<mailto:mhill@blankrome.com>]
Sent: Thursday, May 11, 2017 2:45 PM
To: Baptista, Chrisna <Baptista.Chrisna@epa.gov>; Yeany, Philip <Yeany.Philip@epa.gov>
Cc: DiSantis, Michael <disantism@delcora.org>
Subject: RE: DELCORA/
Importance: High

Please put us in for May 22nd and confirm with me immediately.
Peg

From: Baptista, Chrisna [<mailto:Baptista.Chrisna@epa.gov>]
Sent: Thursday, May 11, 2017 2:24 PM
To: Hill, Margaret A. <mhill@blankrome.com>; Yeany, Philip <Yeany.Philip@epa.gov>
Subject: RE: DELCORA/

I can check again, but from what I've been able to find, it looks like between EPA and PA, the dates that are available are:

May 19, 22, 24, possibly 25
June 5
July 17, 25, 26, 27

I checked about May 30 but the conflict there can't be moved. Are there other dates that would work for DELCORA that you'd like me to check to see if we can try to make work?

Thanks,

Chrisna Baptista, Attorney-Adviser
Office of Civil Enforcement
Water Enforcement Division

Phone: (202) 564-4272
E-mail: baptista.chrisna@epa.gov

NOTICE: This email and its attachments may contain privileged or other confidential information. If you are not the intended recipient, or believe that you have received this communication in error, please delete the copy you received and do not print, copy, retransmit, disseminate, or otherwise use the information.

From: Hill, Margaret A. [<mailto:mhill@blankrome.com>]
Sent: Thursday, May 11, 2017 2:18 PM
To: Baptista, Chrisna <Baptista.Chrisna@epa.gov>; Yeany, Philip <Yeany.Philip@epa.gov>
Subject: RE: DELCORA/

Please tell me that this is not a joke

From: Baptista, Chrisna [<mailto:Baptista.Chrisna@epa.gov>]
Sent: Thursday, May 11, 2017 2:16 PM
To: Hill, Margaret A. <mhill@blankrome.com>; Yeany, Philip <Yeany.Philip@epa.gov>
Subject: RE: DELCORA/

Hi Peg,

May 30th does not work. I've checked within EPA and with PA DEP and the next available options are July 17, 25, 26 and 27. Is DELCORA available for any of those dates?

Thanks,

Chrisna Baptista, Attorney-Adviser
Office of Civil Enforcement
Water Enforcement Division
Phone: (202) 564-4272
E-mail: baptista.chrisna@epa.gov

From: Hill, Margaret A. [<mailto:mhill@blankrome.com>]
Sent: Thursday, May 11, 2017 12:28 PM
To: Baptista, Chrisna <Baptista.Chrisna@epa.gov>; Yeany, Philip <Yeany.Philip@epa.gov>
Subject: RE: DELCORA/

Thank you; that week is not available for all parties with DELCORA; let me know about the 30th.

From: Baptista, Chrisna [<mailto:Baptista.Chrisna@epa.gov>]
Sent: Thursday, May 11, 2017 12:18 PM
To: Hill, Margaret A. <mhill@blankrome.com>; Yeany, Philip <Yeany.Philip@epa.gov>
Subject: RE: DELCORA/

Hi Peg,

I don't think that date works for one EPA attendee, but I am double checking. I did hear from the state, and May 24 and 25 looks like it would work for both EPA and PA DEP. I'll let you know about the 30.

Thanks,

Chrisna Baptista, Attorney-Adviser
Office of Civil Enforcement
Water Enforcement Division
Phone: (202) 564-4272
E-mail: baptista.chrisna@epa.gov

From: Hill, Margaret A. [<mailto:mhill@blankrome.com>]
Sent: Thursday, May 11, 2017 11:24 AM
To: Baptista, Chrisna <Baptista.Chrisna@epa.gov>; Yeany, Philip <Yeany.Philip@epa.gov>
Subject: RE: DELCORA/
Importance: High

What about May 30?

From: Baptista, Chrisna [<mailto:Baptista.Chrisna@epa.gov>]
Sent: Wednesday, May 10, 2017 12:48 PM
To: Hill, Margaret A. <mhill@blankrome.com>; Yeany, Philip <Yeany.Philip@epa.gov>
Subject: RE: DELCORA/

Hi Peg,

I spoke to Phil on Monday and he said that his calendar is up to date. So, after checking that, and confirming with the other EPA attendees, it looks like the following days are available for our rescheduled meeting:

May 19, 22, 24, possibly 25
June 5

Please let me know if any of these days would work for DELCORA.

Thanks,

Chrisna Baptista, Attorney-Adviser
U.S. Environmental Protection Agency
Office of Civil Enforcement
Phone: (202) 564-4272
E-mail: baptista.chrisna@epa.gov

NOTICE: This email and its attachments may contain privileged or other confidential information. If you are not the intended recipient, or believe that you have received this communication in error, please delete the copy you received and do not print, copy, retransmit, disseminate, or otherwise use the information.

From: Hill, Margaret A. [<mailto:mhill@blankrome.com>]
Sent: Wednesday, May 10, 2017 7:56 AM
To: Yeany, Philip <Yeany.Philip@epa.gov>
Cc: Baptista, Chrisna <Baptista.Chrisna@epa.gov>
Subject: Re: DELCORA/

Phil

I am very sorry to hear about your loss.

I will be following up with some dates but please send me all available dates for this month.

Peg

On May 9, 2017, at 7:46 AM, Yeany, Philip <Yeany.Philip@epa.gov> wrote:

Peg,

I am sorry to tell you that we have to postpone the meeting. I have had a death in my family and will be off for the rest of this week. Please let me know what dates that would be good to meet starting next week. Thanks.

Philip Yeany

215-814-2495

From: Hill, Margaret A. <mhill@blankrome.com>

Sent: Monday, April 10, 2017 4:21 PM

To: Yeany, Philip

Cc: DiSantis, Michael; Willert, Robert

Subject: RE: DELCORA/IMPORTANT INFORMATION TO DISCUSS IN CONNECTION WITH THE DRAFT FCA

Phil

Yes, that will work.

Regards, Peg

From: Yeany, Philip [<mailto:Yeany.Philip@epa.gov>]

Sent: Monday, April 10, 2017 1:55 PM

To: Hill, Margaret A. <mhill@blankrome.com>

Subject: Re: DELCORA/IMPORTANT INFORMATION TO DISCUSS IN CONNECTION WITH THE DRAFT FCA

Peg,

I have checked with the State and everyone from our side. 1:00 works for everyone. For EPA, it will be myself, Andrew Seligman, Chrisna Baptista from EPA Headquarters, Gail Coad, and Paul Fericelli from EPA Headquarters attending. Please let me know if the time is okay.

Philip Yeany
215-814-2495

From: Hill, Margaret A. <mhill@blankrome.com>
Sent: Wednesday, April 5, 2017 12:57 PM
To: Yeany, Philip
Cc: DiSantis, Michael; Willert, Robert
Subject: RE: DELCORA/IMPORTANT INFORMATION TO DISCUSS IN CONNECTION WITH THE DRAFT FCA

Thank you. We will be there.

Peg

From: Yeany, Philip [<mailto:Yeany.Philip@epa.gov>]
Sent: Wednesday, April 5, 2017 12:25 PM
To: Hill, Margaret A. <mhill@blankrome.com>
Subject: Re: DELCORA/IMPORTANT INFORMATION TO DISCUSS IN CONNECTION WITH THE DRAFT FCA

Peg,

I will let the EPA people know about the date and ask for a start time. We have people coming from DC so I would expect about 9:30 or 10 at the earliest. I will also check with the State staff.

Phil Yeany

215-814-2495

From: Hill, Margaret A. <mhill@blankrome.com>
Sent: Tuesday, April 4, 2017 3:40 PM
To: DiSantis, Michael; Yeany, Philip
Cc: Gelles, William H; Willert, Robert
Subject: RE: DELCORA/IMPORTANT INFORMATION TO DISCUSS IN CONNECTION WITH THE DRAFT FCA

Mike

Given that you are available, we will met on that date, thank you!

Phil

What time should we arrive?

Peg

From: DiSantis, Michael [<mailto:disantism@delcora.org>]
Sent: Tuesday, April 4, 2017 3:38 PM
To: Hill, Margaret A. <mhill@blankrome.com>; Yeany, Philip <Yeany.Philip@epa.gov>
Cc: Gelles, William H <wgelles@pa.gov>; Willert, Robert <willertr@delcora.org>
Subject: RE: DELCORA/IMPORTANT INFORMATION TO DISCUSS IN CONNECTION WITH THE DRAFT FCA

Peg:

Is the May 11th date confirmed? Please advise. Since it is so difficult to get a meeting with EPA/DOJ, we will plan to be there regardless.

Thanks

Michael J. DiSantis

Director of Operations & Maintenance

DELCORA

100 E. 5th Street

Chester, PA 19013

Office: 610.876.5523, ext. 264

Fax: 610.497.7851

Cell: 484.574.7704

www.delcora.org

From: Hill, Margaret A. [<mailto:mhill@blankrome.com>]
Sent: Thursday, March 30, 2017 4:00 PM
To: Yeany, Philip <Yeany.Philip@epa.gov>
Cc: Gelles, William H <wgelles@pa.gov>; DiSantis, Michael <disantism@delcora.org>; Willert, Robert <willertr@delcora.org>
Subject: RE: DELCORA/IMPORTANT INFORMATION TO DISCUSS IN CONNECTION WITH THE DRAFT FCA

Ok; thanks.

Who do you have included from EPA on the invite list? I am interested in understanding how this meeting once scheduled will be 8 months out from DELCORA's request.

I am copying our client so they understand the reason for the delays.

Also, no reason not to include this document in the public files, subject to a FOIA Request.

From: Yeany, Philip [<mailto:Yeany.Philip@epa.gov>]
Sent: Thursday, March 30, 2017 3:50 PM
To: Hill, Margaret A. <mhill@blankrome.com>
Cc: Gelles, William H <wgelles@pa.gov>
Subject: RE: DELCORA/IMPORTANT INFORMATION TO DISCUSS IN CONNECTION WITH THE DRAFT FCA

Peg,

The earliest possible date that EPA and DEP staff are available to meet is May 11. May 23 and 26 may also be possible but I am still checking with everyone on those two dates.

Phil

Philip Yeany

Senior Assistant Regional Counsel

Desk: 215-814-2495

Fax: 215-814-2602

Email: yeany.philip@epa.gov

From: Hill, Margaret A. [<mailto:mhill@blankrome.com>]
Sent: Friday, March 17, 2017 3:38 PM
To: Yeany, Philip <Yeany.Philip@epa.gov>
Cc: Fericelli, Paul <fericelli.paul@epa.gov>; Baptista, Chrisna <Baptista.Chrisna@epa.gov>; Seligman, Andrew <Seligman.Andrew@epa.gov>
Subject: Re: DELCORA/IMPORTANT INFORMATION TO DISCUSS IN CONNECTION WITH THE DRAFT FCA

Thank you

On Mar 17, 2017, at 3:16 PM, Yeany, Philip <Yeany.Philip@epa.gov> wrote:

Peg:

I have the following tentative dates for a meeting.: April 6, 7, 10, 12 , 20, and 21. I There are two attendees have to check with to make sure that they could make these dates. However, I wanted to give you something to work with.

Phil

Philip Yeany

Senior Assistant Regional Counsel

Desk: 215-814-2495

Fax: 215-814-2602

Email: yeany.philip@epa.gov

From: Hill, Margaret A. [<mailto:mhill@blankrome.com>]
Sent: Friday, March 10, 2017 11:38 AM
To: Yeany, Philip <Yeany.Philip@epa.gov>
Cc: Baptista, Chrisna <Baptista.Chrisna@epa.gov>

Subject: RE: DELCORA/IMPORTANT INFORMATION TO DISCUSS IN CONNECTION WITH THE DRAFT FCA

Thank you

From: Yeany, Philip [<mailto:Yeany.Philip@epa.gov>]
Sent: Friday, March 10, 2017 10:37 AM
To: Hill, Margaret A. <mhill@blankrome.com>
Cc: Baptista, Chrisna <Baptista.Chrisna@epa.gov>
Subject: RE: DELCORA/IMPORTANT INFORMATION TO DISCUSS IN CONNECTION WITH THE DRAFT FCA

Peg,

I will get back to you with proposed dates next week. There is a slight delay because we have a new attorney and engineer from EPA Headquarters.

Phil

Philip Yeany

Senior Assistant Regional Counsel

Desk: 215-814-2495

Fax: 215-814-2602

Email: yeany.philip@epa.gov

From: Hill, Margaret A. [<mailto:mhill@blankrome.com>]
Sent: Wednesday, March 08, 2017 3:49 PM
To: Yeany, Philip <Yeany.Philip@epa.gov>
Cc: Smolski, Robert <Smolski.Robert@epa.gov>; Seligman, Andrew <Seligman.Andrew@epa.gov>; Horner-Hanley, Amy <horner-hanley.amy@epa.gov>; Zimny, James <zimny.james@epa.gov>; Dinsmore, Andrew <Dinsmore.Andrew@epa.gov>; DiSantis, Michael <disantism@delcora.org>; Willert, Robert <willertr@delcora.org>

Subject: RE: DELCORA/IMPORTANT INFORMATION TO DISCUSS IN CONNECTION WITH
THE DRAFT FCA

Importance: High

Phil

By this email, I am advising/confirming my request to you yesterday, March 7, 2017, that DELCORA is still requesting a meeting to discuss the FCA as drafted, and the comments we received below on February 24th from Andrew Dinsmore.

Our original request was made on September 21, 2016 – six months ago – so we are frankly surprised that Mr. Dinsmore asked if we wanted a meeting. We have been waiting for six months to have a discussion regarding the draft FCA.

Regards,

Margaret Anne Hill

Partner and Chair,

Energy, Environment and Mass Torts Practice Group

Blank Rome LLP

One Logan Square

Philadelphia, PA 19103

215-569-5331 (P)

215-832-5331 (F)

215-500-7585 (Cell)

And

1825 Eye Street, NW

Washington, D.C. 20006

202-772-5811



DELAWARE COUNTY REGIONAL WATER QUALITY CONTROL AUTHORITY
P.O. Box 999 • Chester, PA 19016-0999

June 29, 2017

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
Consent Decree Semi Annual Report No. 4
Reporting Period of January 1, 2017 – June 30, 2017

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

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
Charles Hurst, DELCORA
File – Consent Order – LTCP CSO



DELAWARE COUNTY REGIONAL WATER QUALITY CONTROL AUTHORITY
P.O. Box 999 • Chester, PA 19016-0999

June 30, 2017

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
Sewer System Hydrologic and Hydraulic Model 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

☐ 610-876-5523
☐ FAX: 610-497-7959

PLANT & MAINTENANCE

☐ 610-876-5523
☐ FAX: 610-497-7950

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
Charles Hurst, DELCORA
File – Consent Order – LTCP CSO

Appendix 3

NPDES Permit Exceedance Report

(NO REPORTS SUBMITTED DURING
JANUARY 2017 TO JUNE 2017)

Appendix 4

CSOs, SSOs and Unpermitted Discharges Correspondence



DELAWARE COUNTY REGIONAL WATER QUALITY CONTROL AUTHORITY
P.O. Box 999 • Chester, PA 19016-0999

February 21, 2017

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 17, 2017. 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

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

Please check the appropriate box ☒ Dry Weather Overflow ☐ Wet Weather Overflow

1. Date, Name, Phone # of person completing this report	Date : 2/17/2017 Name : Jim Cartafalsa Phone # : (610) 876-5523 ext. 215
2. Your organization name and address ?	Name: DELCORA County: Delaware Township/Municipality: Chester City Address: P.O. Box 999, Chester, PA 19016
Sewer system owner and permit number	DELCORA - NPDES No. PA0027103
3. Date found and <u>specific</u> location of SSO. Including Municipality/County (if different from #2) ?	Date: 2/17/17 Municipality: Chester Township Location(Street & #): Manhole #1771 near 2757 Bethel Rd. County: Delaware
4. How was SSO discovered? By whom ?	Received a call from a resident to the sewer complaint emergency line stating that he had a sewage back up in basement and noticed sewage running down the street out of the manhole.
5. Start and end time of SSO (actual or estimate?)	Start is unknown. The call was received at 2:00 pm and staff was immediately sent out. Overflow ended at approximately 4:18 PM.
6. Date, time and name of person who called PADEP originally to notify of SSO ?	2/17/17 @ 3:26 PM J. Cartafalsa
7. 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.
9. What caused SSO ? How was it stopped ?	Grease and rags were removed from the line which stopped overflow.
10. 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



DELAWARE COUNTY REGIONAL WATER QUALITY CONTROL AUTHORITY
P.O. Box 999 • Chester, PA 19016-0999

March 6, 2017

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 March 3, 2017. 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
March 6, 2017
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

Please check the appropriate box ☒ Dry Weather Overflow ☐ Wet Weather Overflow

1. Date, Name, Phone # of person completing this report	Michael DiSantis 610-876-5523 ext. 264 3/6/17
2. 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. 0027103
3. Date found and <u>specific</u> location of SSO. Including Municipality/County (if different from #2) ?	Date: 3/3/17 Municipality: Chester City Location: 3201 W. Front Street (WRTP) County: Delaware
4. How was SSO discovered?	DELCORA staff working in the area observed the spill.
5. Start and end time of SSO	Start: Approximately 1:45 PM Stop: Approximately 2:00 PM
6. Date, time and name of person who called PADEP originally to notify of SSO ?	Date : 3/3/17 Time : 3:05 PM Name : Michael DiSantis
7. Description and actual or estimated volume of SSO	The 6" unloading valve on a tank trailer containing food waste, split while offloading causing the remaining waste (approximately 3,000 gallons) in the trailer to spill on the paved surface outside of the containment area. Due to the large volume and quick evacuation, some of the waste (approximately 200 gallons) overflowed the containment area and entered a storm water inlet.
8. Where, <u>precisely</u> , did SSO go ? (land, roadway, basement, swale, storm sewer, creek, etc) Please include creek name or street location.	Most of the spill was contained in area containment but some of the spill did reach a storm water drain. A vac truck owned by the hauler who had the valve fail and a DELCORA vac truck quickly addressed the incident by cleaning out the affected inlet and downstream inlets. The incident occurred during high tide so the tide-flex valve at the discharge of the storm water outfall was closed so none of the spill entered the river. The storm water line was thoroughly cleaned to ensure that none of the waste from the spill remained in the line.
9. What caused SSO ? How was it stopped ?	A catastrophic failure of the 6" unloading valve on a tank trailer caused the spill. The spill ended when the tank was empty.
10. Describe extent of contamination and how it was cleaned up	Spilled waste was cleaned up by hosing down and removing the material with two vac trucks. The waste in the containment area flows back to the head of the plant. Some of the waste entered a stormwater inlet. As this occurred on a dry weather day and during high tide, the material that reached the storm water drain was still sitting in the storm water lines and it was also removed by the vac trucks.
11. What actions will be taken to prevent a re-occurrence ? When ?	
12. Other comments ?	
13. Downstream notifications made: (All downstream users such as public water supplies must be notified)	N/A



DELAWARE COUNTY REGIONAL WATER QUALITY CONTROL AUTHORITY
P.O. Box 999 • Chester, PA 19016-0999

April 11, 2017

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 10, 2017. 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

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

Please check the appropriate box ☒ Dry Weather Overflow ☐ Wet Weather Overflow

1. Date, Name, Phone # of person completing this report	Date : 4/10/17 Name : Mike Warholic Phone # : (610) 876-5523 ext. 243
2. 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
3. Date found and <u>specific</u> location of SSO. Including Municipality/County (if different from #2) ?	Date: 4/10/17 Municipality: Chester city Location(Street & #): 14th and Crozer CSO #019 County: Delaware
4. How was SSO discovered? By whom ?	Delcora crew/alarm
5. Start and end time of SSO (actual or estimate?)	Start time approximately 11:45am - ended 4/10/17 at 2:10pm
6. Date, time and name of person who called PADEP originally to notify of SSO ?	4/10/17 @ 12:45pm Mike Warholic
7. Description and actual or estimated volume of SSO	Limited amount of discharge, minimal flow over weir
8. Where, <u>precisely</u> , did SSO go ? (land, roadway, basement, swale, storm sewer, creek, etc) Please include creek name or street location.	Creek that flows into Chester creek
9. What caused SSO ? How was it stopped ?	Blockage in crossover line from regulator mechanism to Interceptor. Removed large belgium block from line
10. Describe extent of contamination and how it was cleaned up	flushed outfall pipe
11. What actions will be taken to prevent a re-occurrence ? When ?	Continue with O&M program that includes daily checks
12. Other comments ?	None
13. Downstream notifications made: (All downstream users such as public water supplies must be notified)	N/A



DELAWARE COUNTY REGIONAL WATER QUALITY CONTROL AUTHORITY
P.O. Box 999 • Chester, PA 19016-0999

April 18, 2017

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 17, 2017. 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
April 18, 2017
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

Please check the appropriate box ☒ Dry Weather Overflow ☐ Wet Weather Overflow

1. Date, Name, Phone # of person completing this report	4/18/17 Mike Warholic 610-876-5523-ex 243
2. 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
3. Date found and <u>specific</u> location of SSO. Including Municipality/County (if different from #2) ?	Date: 4/17/17 Municipality: Chester City Location(Street & #):Off of driveway that leads from Widener gym to football stadium County: Delaware
4. How was SSO discovered? By whom ?	Widener personnel
5. Start and end time of SSO (actual or estimate?)	Received call at 11:30am, crew had line open by 1:00pm
6. Date, time and name of person who called PADEP originally to notify of SSO ?	Date : 4/17/17 Time : 1:20pm Name : Mike Warholic
7. Description and actual or estimated volume of SSO	Estimated 50 gallons
8. Where, <u>precisely</u> , did SSO go ? (land, roadway, basement, swale, storm sewer, creek, etc) Please include creek name or street location.	Contained in grassy area on Widener University property
9. What caused SSO ? How was it stopped ?	Tree root infiltrated an 8 inch clay pipe. Crew used vector to break blockage and Delcora crew will repair pipe 4/18/17
10. Describe extent of contamination and how it was cleaned up	Minimal contamination,spill was contained in small area,spread lime.
11. What actions will be taken to prevent a re-occurrence ? When ?	Repair pipe and perform a TV inspection of area
12. Other comments ?	None
13.Downstream notifications made: (All downstream users such as public water supplies must be notified)	N/A



DELAWARE COUNTY REGIONAL WATER QUALITY CONTROL AUTHORITY
P.O. Box 999 • Chester, PA 19016-0999

June 27, 2017

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 June 26, 2017. 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.

Respectfully Submitted,

Michael J. DiSantis
Director of Operations and 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

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

Please check the appropriate box ☒ Dry Weather Overflow ☐ Wet Weather Overflow

1. Date, Name, Phone # of person completing this report	6/26/17 Jim Cartafalsa 610-876-5523-ex 215
2. 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
3. Date found and <u>specific</u> location of SSO. Including Municipality/County (if different from #2) ?	Date: 6/26/17 Municipality: Chester City Location(Street & #): Intersection of 15th & Arbor Dr. County: Delaware
4. How was SSO discovered? By whom ?	Crew found SSO during a sewer complaint investigation.
5. Start and end time of SSO (actual or estimate?)	Received call at 12:00 pm, crew had line open by 12:20 pm
6. Date, time and name of person who called PADEP originally to notify of SSO ?	Date : 6/26/17 Time : 1:00 pm Name : Jim Cartafalsa
7. Description and actual or estimated volume of SSO	Estimated less than 100 gallons on road way.
8. Where, <u>precisely</u> , did SSO go ? (land, roadway, basement, swale, storm sewer, creek, etc.) Please include creek name or street location.	Mostly contained on roadway, with some re-entering the collection system through combined sewer.
9. What caused SSO ? How was it stopped ?	Appears to have been a grease/rag blockage. Crew cleared the line with a Vector.
10. Describe extent of contamination and how it was cleaned up	Sewage in street was diluted and Vacuumed into Vector truck, pine sol added to street spill.
11. What actions will be taken to prevent a re-occurrence ? When ?	Line will have a TV inspection this week to determine if further maintenance is warranted at this time
12. Other comments ?	None
13. Downstream notifications made: (All downstream users such as public water supplies must be notified)	N/A



www.delcora.org

Delaware County Regional Water Quality Control Authority

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