U.S. ENVIRONMENTAL PROTECTION AGENCY
REGION III WATER BRANCH, ENFORCEMENT
AND COMPLIANCE ASSURANCE DIVISION
CLEAN WATER ACT
COMPLIANCE INSPECTION REPORT

for

Name of Facility: Gilberton Borough WWTP
Facility Address: 2710 Main Street, Mahanoy Plane, PA 17949
Mailing Address: 2710 Main Street, Mahanoy Plane, PA 17949

Report Prepared on: 6/12/2023 (*Date*) By: Daniel O'Connell Digitally signed by Daniel O'Connell Date: 2023.06.12 14:40:32 -06'00' (*Signature*), Environmental Scientist (PG Environmental)

Report Final as of: 6/12/2023 (*Date*) By: JESSICA DUFFY Digitally signed by JESSICA DUFFY Date: 2023.06.13 07:39:54 -04'00' (*Signature*), EPA

General Information

Type of Inspection:	Wastewater Treatment Facility CEI
Owner:	Gilberton Borough
Operator:	M&B Environmental
Permittee:	Gilberton Borough
NPDES Permit No:	PA0063592
NPDES Permit Effective Date:	August 1, 2018
NPDES Permit Expiration Date:	July 31, 2023
Receiving Water and/or MS4:	Mahanoy Creek
Latitude and Longitude:	40.79310, -76.24832

On-Site Facility Inspection Overview

On April 4, 2023, U.S. Environmental Protection Agency (EPA) Region III's contract inspectors from PG Environmental, (hereinafter referred to as Inspectors) inspected the Gilberton Borough Treatment Plant (hereinafter, WWTP or Plant) in Mahanoy Plane, Pennsylvania. Gilberton Borough is identified as the Permittee and owns the WWTP. M&B Environmental is the contracted company that operates the plant. The Inspectors were accompanied on the inspection by state representatives from the Pennsylvania Department of Environmental Protection (PADEP).

Approximate Entry Time: 9:15 AM (EDT) **Approximate Exit Time:** 3:00 PM (EDT)

Unique Project Identifier (UPI): 3E23WN037A

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I. INTRODUCTION

On April 4, 2023, U.S. Environmental Protection Agency (EPA) Region III's contract inspectors from PG Environmental, (hereinafter referred to as Inspectors) inspected the Gilberton Borough Wastewater Treatment Plant (hereinafter, WWTP or Plant) in Mahanoy Plane, Pennsylvania. Gilberton Borough is the Permittee and owns the WWTP. M&B Environmental is the contracted company that operates the plant. The Inspectors were joined on the inspection by the Plant Supervisor, Plant Operator from M&B Environmental, and the Route Manager from M&B Environmental. The Permittee's activities are regulated under National Pollutant Discharge Elimination System (NPDES) Permit No. PA0063592 (hereinafter, Permit), which became effective on August 1, 2018 and expires on July 31, 2023 (refer to Appendix C).

The primary purpose of the inspection was to review the onsite Plant operations, to review the accuracy and reliability of the Permittee's self-monitoring and reporting program, and to obtain information that will assist EPA in assessing the Permittee's compliance with the requirements of the Permit. The weather at the time of the inspection was partly sunny, with a high temperature of about 60 degrees Fahrenheit. According to National Oceanic and Atmospheric Administration (NOAA) climate data[1], the Gilberton area experienced approximately 0.5 inches of precipitation between April 1 and 2, 2023.

The WWTP is an extended aeration activated sludge plant. Wastewater is collected and pumped to the Plant through three pump stations located in the collection system, one in Gilberton, one in Maizesville, and one across from the park near the main gate of the WWTP. The park pump station functions as an influent pump station for the WWTP.

A contract operator is onsite at the WWTP for a few hours each day between 7:00 a.m. to 4:00 p.m., Monday through Friday, and for a few hours on the weekends (i.e., just for compliance sampling and basic rounds). The Plant Operator stated that the WWTP discharges approximately 30,000 to 40,000 gallons per day (GPD) in dry weather. The Plant Supervisor stated that the Plant has routinely experienced flows exceeding the design capacity in the past, with wet weather peaks over 100,000 GPD due to inflow and infiltration.

II. INSPECTION PROCESS

Inspection Opening Conference

The Inspectors arrived at the Plant at 9:15 AM (EDT) for the inspection. Danny O'Connell of PG Environmental presented his Clean Water Act inspector credential to the Plant Supervisor at the outset of the inspection and explained the purpose of the inspection was to observe compliance with the Permit. A copy of the Permit is provided in Appendix C. Table 1 describes the individuals that participated in the inspection.

Table 1: Inspection Attendee List

Name	Affiliation	Telephone	Email
EPA Region III Contract Inspector			
Danny O'Connell, Inspector	PG Environmental	(720) 789-8032	danny.oconnell@pgenv.com
Spencer Gibson, Inspector	PG Environmental	(515) 865-2778	spencer.gibson@pgenv.com
State Representatives			
Patrick Musinski, Monitoring and Compliance Manager	Pennsylvania Department of Environmental Protection	(570) 826-2326	pmusinski@pa.gov

[1] https://www.ncei.noaa.gov/cdo-web/search

Name	Affiliation	Telephone	Email
Kelsey Glavich, Compliance Specialist	Pennsylvania Department of Environmental Protection	(570) 826-2367	kglavich@pa.gov
Site/Facility Representatives			
Dan Malloy, Plant Supervisor	Gilberton Borough	(570) 874-4790	gilbertonborohall@ptd.net
Sean Skeath, Route Manager	M&B Environmental	(570) 449-4538	sskeath@mbenv.net
Les Harvey, Plant Operator	M&B Environmental	(610) 389-2515	lharveymbe@gmail.com
Sandi Pachella, Compliance Administrator	M&B Environmental	(484) 252-9506	admin@mbenv.net

Facility Site Walk

As part of the inspection process, the Inspectors visually observed the treatment train and site conditions in the presence of the Plant Supervisor and the M&B Environmental team (refer to Appendix A, Photographs 1 through 20). The Inspector also visually inspected the outfall, located outside the southern WWTP fence line, as well as the receiving stream. The wastewater treatment train consists of:

- Influent flow box with manual bar screen
- EQ basin
- Aeration basin
- Clarifier
- Chlorine contact chamber with chlorine tablet dispensers
- Effluent flow measurement weir box with ultrasonic senser
- Digester

Wastewater is pumped to the WWTP via three pump stations. Pump Station #1, which is located in Gilberton, feeds into Pump Station #2, which is located in Maizeville. Wastewater from Pump Stations #1 and #2 feed into Pump Station #3, which is located near the WWTP. While an evaluation of the collection system was not a part of the inspection, the Plant Supervisor stated the pump stations routinely experience issues and failures. He stated the collection basket in Pump Station #3 was routinely completely full of sanitary debris, allowing for rags and other debris to flow into the WWTP.

Wastewater from Pump Station #3 is lifted to the influent flow box at the headworks, which is equipped with a manually raked bar screen. Some debris, rags, and floating solids were observed in the influent box at the headworks during the inspection. After screening, the flow enters an EQ basin before passively flowing into the treatment train via two overflow lines. The remainder of the treatment train consists of an aeration basin, clarifier, and digester for solids.

Upon arriving at the WWTP, before the inspection started, an excess of foam was observed, from outside the Plant's gate, in the headworks (no photo taken prior to the inspection starting). At the beginning of the Plant site-walk, the blowers were turned off in the EQ basin and no foam build-up was observed. Solids and floating debris were also observed in the EQ basin with some build-up on the walls of the tank indicating their age and general lack of cleaning (refer to Appendix A, Photograph 2 and Observation 4 for additional details).

The Inspectors observed old equipment, electrical cords, and tubing laying on the ground around the EQ basin and across the walkway (refer to Observation 4). An old, out of service, influent sampler was installed at the time of inspection as well as a new sampler.

Wastewater flows from the EQ basin to the aeration chamber via gravity through two overflow pipes that extend over the digester, located between the EQ basin and the aeration chamber (refer to Appendix A, Photograph 5). The Plant Operator stated that new pumps installed in the EQ basin experienced issues with over-heating and shutting down. The Plant Operator specified that blockage from rag debris was causing the pumps to "torque-out" and fail. As a result, the Plant Operator is unable to set the flow from the EQ basin to the aeration basin and has to wait for the EQ basin to fill completely before it is discharged to the aeration chamber.

Following aeration, wastewater flows toward the clarifier via gravity, through an influent channel before flowing into the main clarifier unit. Excessive solids build-up was observed in the influent channel which formed a solid mat of debris, prohibiting wastewater from evenly flowing through the length of the channel into the clarifier. The blockage had created short circuiting of the clarifier's design (refer to Appendix A, Photograph 10). The solids build-up formed a thick mat with vegetative growth on top. Additionally, bulk, floating solids were observed in the main chamber of the clarifier (refer to Appendix A, Photograph 11). Floating solids observed near the skimmer appeared to be hard with vegetative growth on top, indicating solids in the unit were older in age (refer to Appendix A, Photograph 15).

When the waste/return system is in service, sludge can be returned from the bottom of the clarifier to the east ends of the aeration basin via two return activated sludge (RAS) lines equipped with airlift pumps (refer to Appendix A, Photograph 9). The southern RAS line can be re-routed for waste activated sludge (WAS). However, at the time of the inspection, the Plant Operator stated the southern RAS/WAS line was not operational due to the airlift pump failure. The RAS valve leading to the aeration chamber was open at the time of the inspection, but no flow was observed as the pump was non-functional (refer to Appendix A, Photograph 7). The Plant Operator stated that he was able to waste sludge sometimes, but it did not always work. The Inspectors did not observe records of corrective maintenance measures in the daily operations log (refer to Observations 4 and 5). The Inspectors observed a temporary pump and hose system installed for wasting due to the RAS/WAS line being out of service.

Following clarification, wastewater flows through the clarifier weir trough and is transported via gravity to the chlorine contact chamber (CCC). Wastewater flows underneath a baffle, through the clarifier weir plate, into the weir trough on the northern side of the WWTP. The Inspectors observed cloudy water with high concentrations of pin floc in both the clarifier weir trough and CCC (refer to Appendix A, Photographs 12 and 13), as well as excessive algal growth. At the time of inspection there were nine chlorine tablets in the clarifier weir trough, which is not the designed chlorination location, each at a different stage of dissolving (refer to Appendix A, Photograph 14).

Wasted sludge is collected in an uncovered digester located between the EQ basin and the aeration basin. The Inspectors observed floating debris and solids in the digester. Additionally, some make-shift rigging and submerged electrical cords were observed in the digester (refer to Appendix A, Photograph 4). The Plant Operator stated that wasted sludge was hauled off-site about a month prior to the inspection.

The Plant did not have a backup generator at the time of the inspection. The Plant Supervisor stated that there are back-up generators present at each pump station in the collection system.

Records Review

The Inspector conducted a records review to evaluate the Permittee's compliance with the Permit. Most of the records and reports required by the Permit were available for review prior to and after the inspection. Plant equipment operation and maintenance (O&M) manuals were reviewed onsite. The Plant's electronic discharge monitoring reports (eDMRs) were obtained electronically and reviewed offsite after the onsite inspection. The following were reviewed:

- eDMR data during the period from April 1, 2018 through March 31, 2023;
- Daily handwritten operational datasheets (March 2023 through April 2023);

- Operations logbook (September 2021 through April 2023);
- PADEP enforcement documents (November 2020 through August 2022)
- Various Plant equipment O&M manuals; and
- WWTP standard operating procedure (SOP) Manual.

Summary of Observations

The following section summarizes the Inspectors' observations relative to the Permit requirements, including the status of certain treatment units, operation and maintenance practices, the Permittee's monitoring and reporting documentation, and the Permittee's compliance with enforcement action.

Permit Status and Effluent Exceedances

Part A.I of the Permit defines effluent limitations and monitoring requirements for Outfall 001 discharges.

As part of the data review, the Inspectors reviewed the Effluent Exceedances Report in EPA's Enforcement and Compliance History Online (ECHO) Database to compare reported values against effluent limitations defined in the Permit (refer to Appendix B, Exhibit 1) in order to evaluate compliance.

Observation 1. According to EPA's ECHO database, the Plant experienced 46 effluent limit exceedances from Outfall 001 between April 1, 2018 and February 28, 2023 (refer to Appendix B, Exhibit 1 and Table 2 below). The highest percentage of exceedances occurred for total suspended solids, followed by fecal coliform and dissolved oxygen.

EPA's ECHO database indicates the Plant was in a state of significant noncompliance (SNC) from July 1, 2022 through December 31, 2023 (refer to Appendix B, Exhibit 2).

Table 2. Outfall 001 Final Effluent Exceedances (April 1, 2018 through February 28, 2023)

Permit #	Monitoring Period End Date	Parameter Name	DMR Value	Permit Limit	Units	Limit Type
PA0063592	5/31/2018	Fecal Coliform	2700	1000	CFU/100mL	Instantaneous Maximum
PA0063592	3/31/2019	Fecal Coliform	11500	10000	#/100mL	Instantaneous Maximum
PA0063592	6/30/2019	Fecal Coliform	20000	1000	#/100mL	Instantaneous Maximum
PA0063592	6/30/2019	Fecal Coliform	1260	200	#/100mL	Geometric Mean
PA0063592	8/31/2019	Fecal Coliform	14600	1000	#/100mL	Instantaneous Maximum
PA0063592	6/30/2020	Dissolved Oxygen (DO)	2.9	5	mg/L	Daily Minimum
PA0063592	6/30/2020	Total Suspended Solids	68.8	37.5	lbs/d	Weekly Average
PA0063592	6/30/2020	Total Suspended Solids	43.6	25.0	lbs/d	Monthly Average
PA0063592	6/30/2020	Fecal Coliform	2037	200	#/100mL	Geometric Mean
PA0063592	6/30/2020	Fecal Coliform	40000	1000	#/100mL	Instantaneous Maximum
PA0063592	6/30/2020	CBOD5	20.9	20.8	lbs/d	Monthly Average
PA0063592	8/31/2020	Dissolved Oxygen (DO)	4.8	5	mg/L	Daily Minimum
PA0063592	12/31/2020	pH	5.4	6	SU	Instantaneous Minimum
PA0063592	12/31/2020	Total Suspended Solids	35.7	30	mg/L	Monthly Average
PA0063592	12/31/2020	Total Suspended Solids	47.3	45	mg/L	Weekly Average
PA0063592	1/31/2021	Dissolved Oxygen (DO)	4.6	5	mg/L	Daily Minimum
PA0063592	3/31/2021	Dissolved Oxygen (DO)	4.8	5	mg/L	Daily Minimum
PA0063592	3/31/2021	Total Suspended Solids	32.3	30	mg/L	Monthly Average
PA0063592	5/31/2021	Dissolved Oxygen (DO)	3.85	5	mg/L	Daily Minimum
PA0063592	5/31/2021	Total Suspended Solids	79.7	30	mg/L	Monthly Average
PA0063592	5/31/2021	Total Suspended Solids	99.5	45	mg/L	Weekly Average
PA0063592	5/31/2021	Total Suspended Solids	26.4	25.0	lbs/d	Monthly Average
PA0063592	5/31/2021	Fecal Coliform	5700	1000	#/100mL	Instantaneous Maximum
PA0063592	5/31/2021	Fecal Coliform	625	200	#/100mL	Geometric Mean

Permit #	Monitoring Period End Date	Parameter Name	DMR Value	Permit Limit	Units	Limit Type
PA0063592	6/30/2021	Fecal Coliform	934	200	#/100mL	Geometric Mean
PA0063592	6/30/2021	Fecal Coliform	11800	1000	#/100mL	Instantaneous Maximum
PA0063592	7/31/2021	Dissolved Oxygen (DO)	4.49	5	mg/L	Daily Minimum
PA0063592	7/31/2021	pH	5.32	6	SU	Instantaneous Minimum
PA0063592	11/30/2021	Dissolved Oxygen (DO)	4.13	5	mg/L	Daily Minimum
PA0063592	11/30/2021	Total Suspended Solids	123.0	25.0	lbs/d	Monthly Average
PA0063592	11/30/2021	Total Suspended Solids	300.0	37.5	lbs/d	Weekly Average
PA0063592	11/30/2021	CBOD5	22.6	20.8	lbs/d	Monthly Average
PA0063592	11/30/2021	CBOD5	53.7	33.4	lbs/d	Weekly Average
PA0063592	2/28/2022	Dissolved Oxygen (DO)	3.89	5	mg/L	Daily Minimum
PA0063592	3/31/2022	Dissolved Oxygen (DO)	2.82	5	mg/L	Daily Minimum
PA0063592	5/31/2022	pH	5.8	6	SU	Instantaneous Minimum
PA0063592	6/30/2022	Dissolved Oxygen (DO)	4.23	5	mg/L	Daily Minimum
PA0063592	7/31/2022	Total Suspended Solids	78	30	mg/L	Monthly Average
PA0063592	7/31/2022	Total Suspended Solids	124	45	mg/L	Weekly Average
PA0063592	8/31/2022	Total Suspended Solids	82.5	45	mg/L	Weekly Average
PA0063592	8/31/2022	Total Suspended Solids	55.7	30	mg/L	Monthly Average
PA0063592	10/31/2022	Total Suspended Solids	40.9	25.0	lbs/d	Monthly Average
PA0063592	10/31/2022	Total Suspended Solids	158.6	37.5	lbs/d	Weekly Average
PA0063592	10/31/2022	Total Suspended Solids	48.8	30	mg/L	Monthly Average
PA0063592	10/31/2022	Total Suspended Solids	182	45	mg/L	Weekly Average
PA0063592	1/31/2023	Fecal Coliform	20000	10000	#/100mL	Instantaneous Maximum

Supplemental Information **in Part A.I of the Permit** states, "The hydraulic design capacity of 0.100 million gallons per day [mgd] for the treatment facility is used to prepare the annual Municipal Wasteload Management Report to help determine whether a "hydraulic overload" situation exists, as defined in Title 25 Pa. Code Chapter 94."

Observation 2. Based on a review of PADEP's eDMR database, the Plant's average monthly flow exceeded its hydraulic design capacity of 0.1 mgd 2 times from April 1, 2018 through February 28, 2023 (see Table 3).

The Plant's reported daily maximum flow exceeded the hydraulic design capacity 23 times, more than doubling it 10 times (see Table 4). The highest value occurred in August 2018, at a daily maximum of 1.2034 MGD. Since the daily maximum is only reported for one day each month, it is unclear if the Plant flow exceeded the design capacity on any other occasions that are not reflected in the reporting.

Table 3. Monthly Average Flows Exceeding Plant Hydraulic Design Capacity (April 1, 2018 through February 28, 2023)

Monitoring Period End Date	Parameter Name	DMR Value	Units	Statistical Base Code
8/31/2018	Flow	0.1894	MGD	Monthly Average
6/30/2020	Flow	0.1263	MGD	Monthly Average

Table 4. Daily Maximum Flows Above 0.100 MGD (April 1, 2018 through February 28, 2023)

Monitoring Period End Date	Parameter Name	DMR Value	Units	Statistical Base Code
8/31/2018	Flow	1.2034	MGD	Daily Maximum
9/30/2018	Flow	0.1851	MGD	Daily Maximum
10/31/2018	Flow	0.165	MGD	Daily Maximum
11/30/2018	Flow	0.1919	MGD	Daily Maximum
12/31/2018	Flow	0.2027	MGD	Daily Maximum
1/31/2019	Flow	0.2105	MGD	Daily Maximum
2/28/2019	Flow	0.1257	MGD	Daily Maximum
3/31/2019	Flow	0.1308	MGD	Daily Maximum
4/30/2019	Flow	0.1947	MGD	Daily Maximum
5/31/2019	Flow	0.1932	MGD	Daily Maximum
7/31/2019	Flow	0.1425	MGD	Daily Maximum
10/31/2019	Flow	0.2861	MGD	Daily Maximum
1/31/2020	Flow	0.1004	MGD	Daily Maximum
4/30/2020	Flow	0.3154	MGD	Daily Maximum
5/31/2020	Flow	0.3327	MGD	Daily Maximum
6/30/2020	Flow	0.7985	MGD	Daily Maximum
10/31/2020	Flow	0.1076	MGD	Daily Maximum
12/31/2020	Flow	0.4235	MGD	Daily Maximum
2/28/2022	Flow	0.1692	MGD	Daily Maximum
4/30/2022	Flow	0.1465	MGD	Daily Maximum
5/31/2022	Flow	0.1475	MGD	Daily Maximum
10/31/2022	Flow	0.2408	MGD	Daily Maximum
1/31/2023	Flow	0.863	MGD	Daily Maximum

Duty to Provide Information

Part B.I.C.1 of the Permit states, "The permittee shall furnish to DEP, within a reasonable time, any information which DEP may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. (40 CFR 122.41(h))."

Observation 3. The Permittee had not provided requested information, in the required timeframe, related to several Notices of Violation (NOVs) issued by PADEP in relation to effluent limit exceedances, the occurrence of sanitary sewer overflows (SSOs), and violations observed during state inspections (refer to Appendix B, Exhibit 3). Specifically:

- ***Corrective Action Plan***: PADEP's December 7, 2021 NOV states, "The Department requests that Gilberton Borough provide, within 30 days of receipt of this Notice, a corrective action plan outlining the steps Gilberton will take to return all inoperable units documented in the Department's October 21, 2021 inspection to a functioning condition, along with an associated timeline." The April 7, 2022 NOV states, "As of the date of this Notice, the Department has not yet received the requested Corrective Action Plan and 2022 Annual Operating Budget for Gilberton, which constitutes a violation of NPDES Permit Part B.I.C." PADEP's August 4, 2022 NOV states, "As of the date of this Notice, the Department has not yet received the requested Corrective Action Plan and 2022 Annual Operating Budget for Gilberton, which constitutes a violation of NPDES Permit Part B.I.C." The corrective action plan had not been submitted to PADEP as of the time of the inspection.

- ***3rd Party Evaluation***: PADEP's August 4, 2022 NOV states, "As part of the May 9, 2022 inspection, the Department requested that Gilberton have the wastewater treatment plant and pump stations evaluated by a 3rd party, a Pennsylvania licensed professional engineer. In addition, the Department requested Gilberton provide a copy of the engineer's evaluation report and plan to address the issues identified in the report within 60 days. The engineer's evaluation report was due July 15, 2022 and the Department has no record of receiving said report." As of the date of the onsite inspection (April 4, 2023), the Permittee had not submitted a 3rd party evaluation.

  Following the onsite inspection, on April 14, 2023, the Permittee submitted an evaluation to PADEP from Castle Valley Consultants (refer to Appendix B, Exhibit 4). The Inspectors did not perform an in-depth technical review of the document; however, the submitted evaluation does not reference engineered specifications of the WWTP or collection system assets in its recommendations and does not indicate the work was completed by a Pennsylvania licensed professional engineer. The consultant evaluation report does state at least one additional phase of the project will be completed for upgrade planning and installation evaluation; however, no timeline or schedule is provided.

Proper Operation and Maintenance (O&M)

Part B.I.E.2 of the Permit states, "The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance includes, but is not limited to, adequate laboratory controls including appropriate quality assurance procedures. This provision also includes the operation of backup or auxiliary facilities or similar systems that are installed by the permittee, only when necessary to achieve compliance with the terms and conditions of this permit. (40 CFR 122.41(e))."

Observation 4 describes observations made during the Facility site walk relevant to proper O&M. Observation 5 describes observations relevant to proper O&M made during review of the WWTP's logbook and operation data sheets.

Observation 4. The Inspectors made several observations related to operations and maintenance at the Plant:

- The Plant did not have a backup generator at the time of the inspection.
- Upon arrival at the WWTP, prior to the start of the inspection, the Inspectors observed an excess of foam build-up in the EQ basin at the Plant headworks. Staining on the upper lip of the basin suggested evidence of previous overflows. The Plant Supervisor stated that the foam build-up occurs only when the blowers are on and at random times throughout the day. Plant representatives stated that they did not know the origin of the foam (refer to Appendix A, Photographs 1 and 8).
- Some minor back flow from the influent pipe back towards the influent pump station at the headworks was observed during the inspection. The cause was unclear at the time of the inspection.
- A large amount of temporary rigging comprising old equipment, tubing, and electrical cords was observed throughout the WWTP (refer to Appendix A, Photographs 2 through 4). A temporary scaffolding walkway was also observed laying across the EQ basin.

- There was an accumulation of solids and debris in most chambers of the treatment train. Rags were observed in the headworks, EQ basin, and lying around the Plant. Floating islands of solids were observed in the digester, clarifier, and chlorine contact chamber. Additionally, large mats of solids were observed in the clarifier that had vegetative growth on them, indicative of their old age (refer to Appendix A, Photographs 2 through 5, Photographs 9 through 12, and Photograph 14). Plant representatives stated that floating debris and solids are typically scooped out manually.
- Numerous electrical extension cords were observed laying precariously near or above the surface of treatment units. There were a few instances of electrical cords completely submerged in water. Additionally, electrical cords were laying across walkways and posed as tripping hazards (refer to Appendix A, Photographs 2 through 4).
- The RAS/WAS line on the south side of the Plant was not operational at the time of inspection. The RAS line was switched to open and there was no flow observed. The Plant Operator stated that the air-lift pump line was not operational. The daily operational logbook entries do not show that any corrective maintenance or diagnostic testing had been performed on the asset (refer to Appendix B, Exhibit 5). Additionally, the Plant's SOP calls for proper inspection and maintenance of the RAS lines (refer to Appendix B, Exhibit 6).
- The water in the clarifier and chlorine contact chamber was cloudy. Specifically, the water passing over the effluent channel weir leading to the chlorine contact chamber had a brownish hue (refer to Appendix A, Photographs 11, 13, and 16). High concentrations of pin floc were observed in both chambers (refer to Appendix A, Photographs 12 and 13).
- There was no thermometer inside the refrigeration unit, and the door had fallen off completely and was being supported by other materials leaned up against it (refer to Appendix A, Photograph 18). It was unclear whether samples were being preserved at the proper temperature.
- Algal growth and some plastic debris were observed at Outfall 001 (refer to Appendix A, Photographs 19 and 20).
- The Plant Operator stated that the new pumps installed in the EQ basin experienced issues with over-heating and shutting down. The Plant Operator specified that blockage from rag debris was causing the pumps to "torque-out" and fail.
- There was no secondary containment observed for paints and oils stored in the blower room (refer to Appendix A, Photograph 21).
- The implementation date and dates of any revisions to the Plant's SOP were not specified in the document (refer to Appendix B, Exhibit 6).

Observation 5. As described in Observations 1 through 4, the Plant has experienced past violations and operational failures related to and resulting in effluent exceedances, excessive flows, solids management in the treatment train, air delivery in treatment units, and other O&M related occurrences. The Inspectors made several observations relevant to these issues, as well as Part B.I.E.2 of the Permit, during review of the Plant's the daily operations log and data sheets (refer to Appendix B, Exhibits 5 and 7):

Logbook (Exhibit 5)

- The Inspectors observed several entries of the southern RAS line being offline. It is unclear how long the plant has been experiencing difficulties with this line.
- **9/16/21 and 9/17/21**: Indicates the RAS line was not flowing.

- **9/23/22:** The WWTP experienced issues at the Pump Stations #2 and #3. The RAS was down and the "system" was "pushing solids."
- **9/24/21:** The entry indicates no RAS line.
- On **9/27/21 and 9/28/21**, the Plant wasted 3,465 and 12,936 gallons of sludge, respectively. The height of the blanket went from 80 inches to 9 inches during this period.
- **12/20/22**: A-1 repaired the diffusers in the aeration chamber. This implies that the diffusers were not operational prior to this date. There is no entry indicating when the diffusers went offline.
- In **December 2022**, the blowers were turned off and the system was without air for two days. The air was turned off on **12/22/22** and came back online on **12/24/22**.
- **12/22/22:** The entry states the wastewater in the EQ basin looked dark in color, the RAS was not running, and the Plant was not wasting.
- **12/23/22:** The entry states that the Plant was experiencing high influent flows and discharging 150 gallons per minute. There was no time entry in the daily operations log.
- **12/24/22:** The entry indicates a sample was taken but does not specify the sample type.

Data Sheets (Exhibit 7)

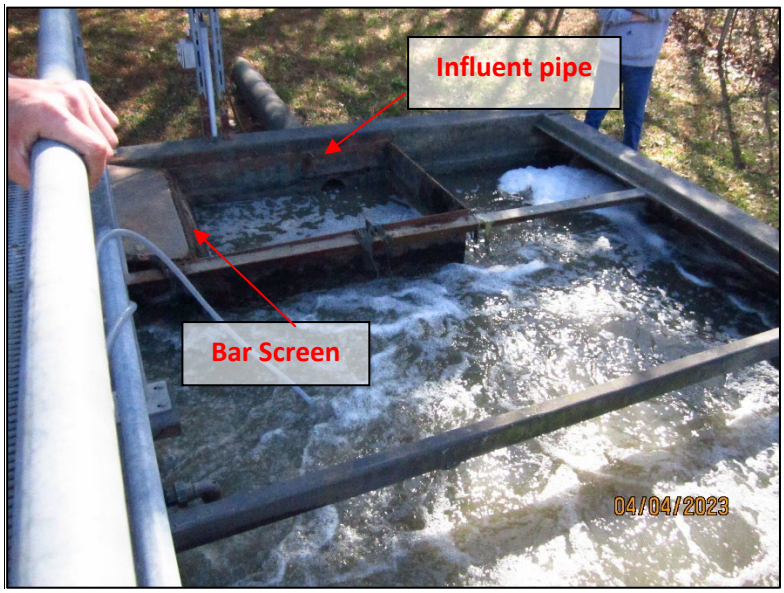
- **3/3/23:** A flow of 80,000 GPD was recorded, which is 2.5 times the month's daily low flow; there was no rain recorded.
- **3/4/23:** A flow of 98,400 GPD was recorded, which is 3.1 times the month's daily low flow; there was no rain recorded.
- The dissolved oxygen in the aeration train was only tested once during **March 2023**, and the total flow recorded for the monitoring event represents Saturday and Sunday flows.
- Solids were wasted four times during **March 2023** with values ranging from 924 gallons to 3,234 gallons. This suggests that the Plant may have been responding to stresses in the treatment process as typically treatment systems operate better with wasting smaller volumes at a regular frequency.

Closing Conference

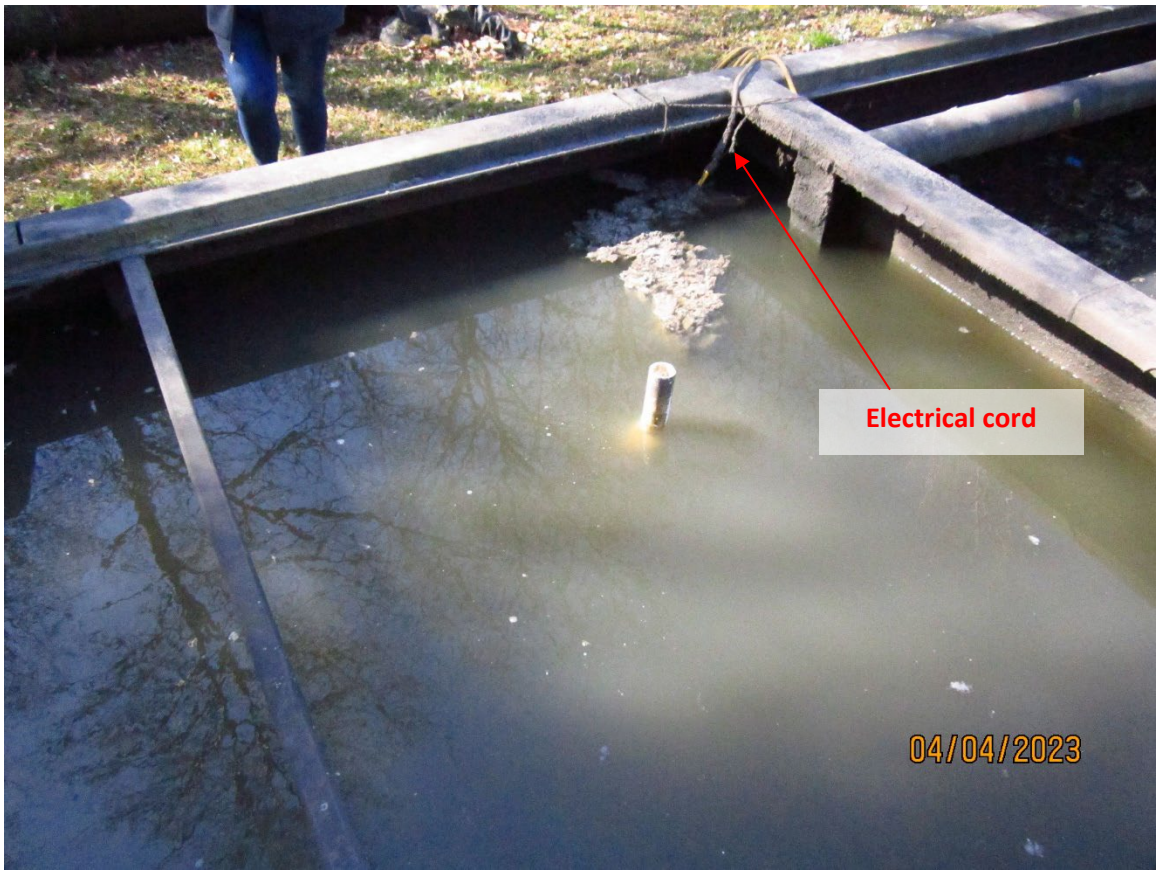
After the Plant site walk, the Inspectors met with the Plant Supervisor for a closing conference and shared their preliminary observations. The Inspectors reiterated to the Plant Supervisor that all preliminary observations discussed were not compliance determinations. Any and all preliminary observations shared were subject to further investigation by the Inspectors and EPA upon the additional review of records and documentation. Additional observations may be contained in this inspection report that were not identified at the time of the closing conference, after the additional review of materials following the inspection.

The inspection concluded at approximately 3:00 PM (EDT).

Appendix A
Photograph Log

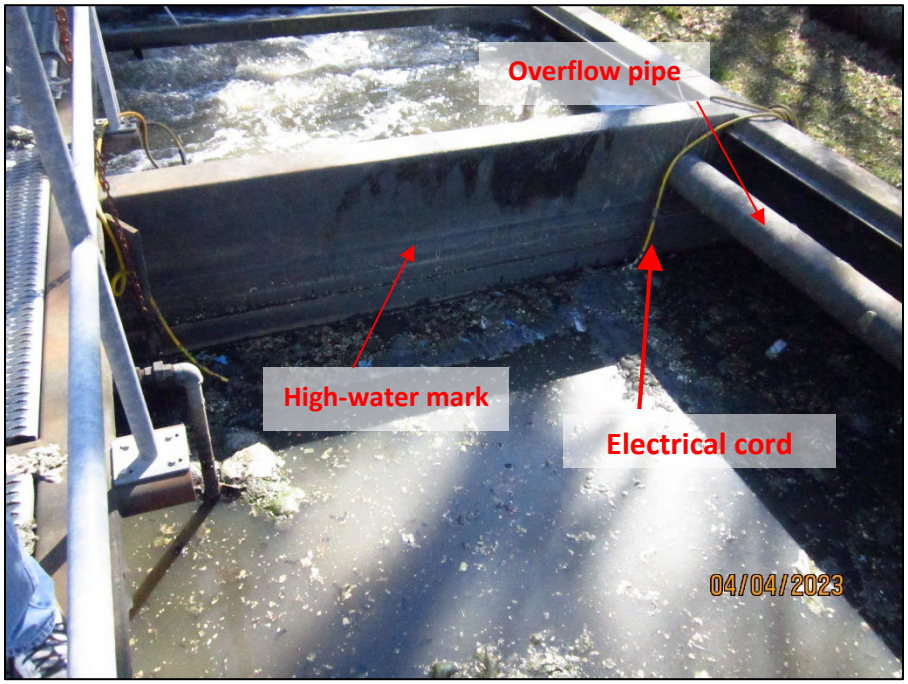


Photograph 1. **IMG_0013.JPEG** View of the headworks and EQ basin. The basin was aerated, and foam was observed.



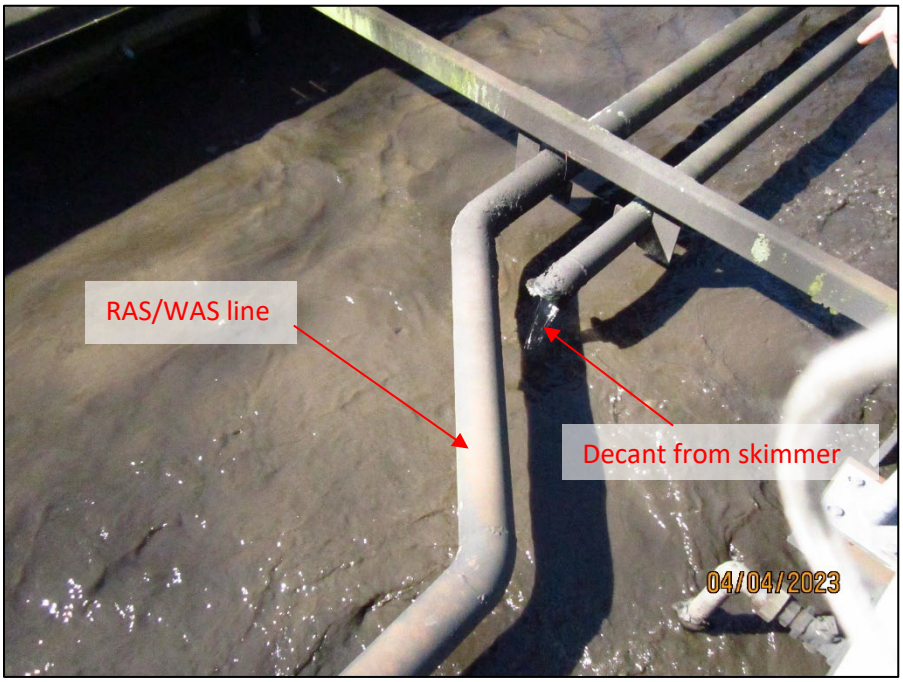
Photograph 2. **IMG_0009.JPEG** View of floating solids in EQ basin. Note the yellow electrical cord below the water level in the corner of the tank.

Photograph 3. **IMG_0010.JPEG** View of the current influent sampler and old influent sampler unit. There was miscellaneous tubing laying around the walkway and electrical cords hanging above the water. A scaffolding walkway was installed on the exterior of the safety railing; its use was unknown at the time of inspection.

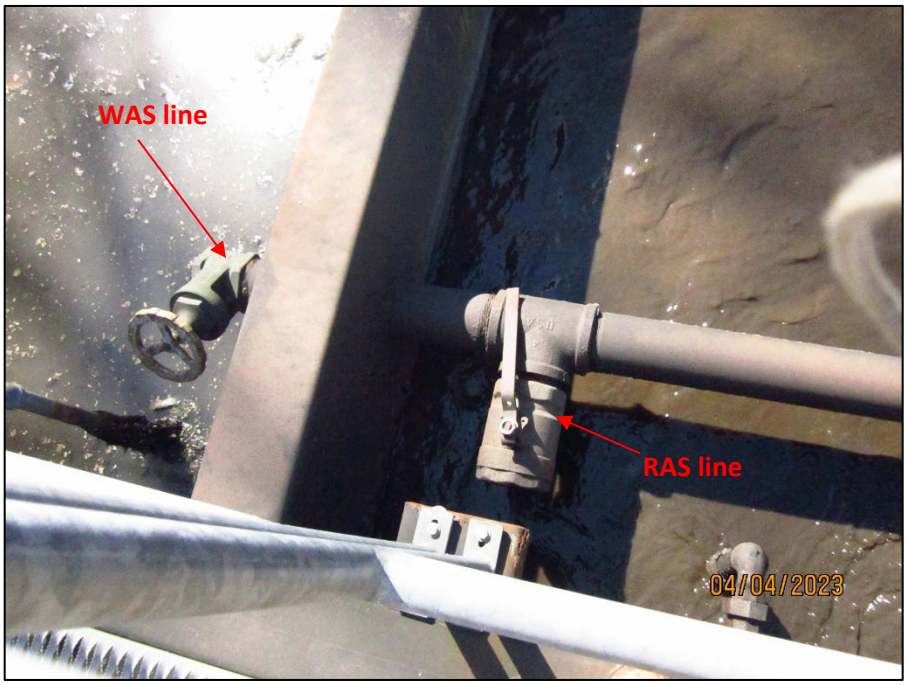


Photograph 4. **IMG_0016.JPEG** View of the digester on the south side of the WWTP. Note the high-water mark on the side of the tank as well as the submerged yellow electrical cord. Floating debris was also observed.

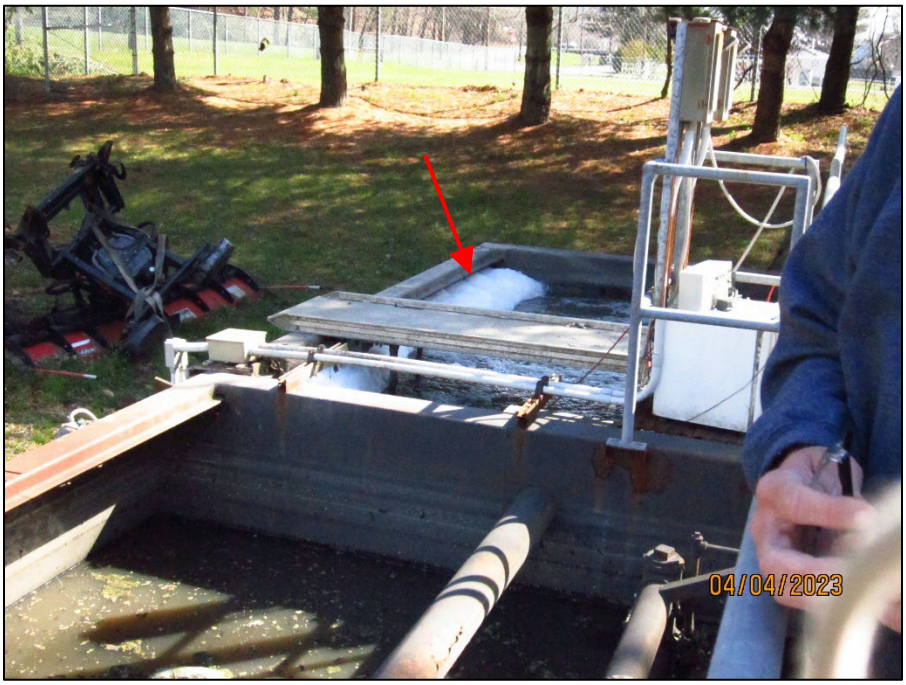
Photograph 5. **IMG_0021.JPEG** View of one of two gravity overflow lines (north side of the WWTP) from the EQ basin to the aeration basin.



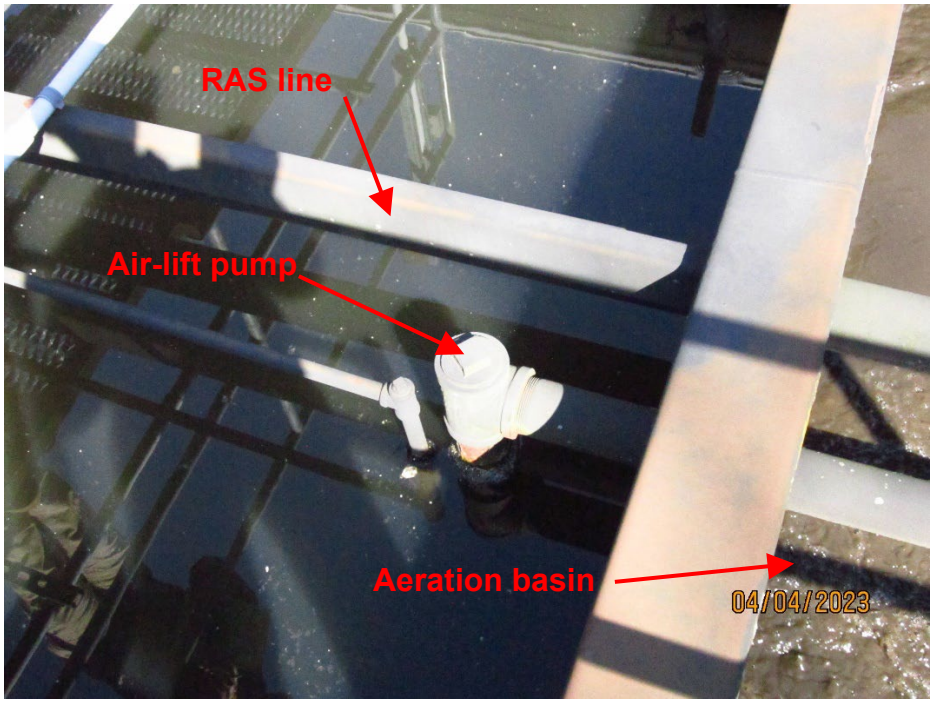
Photograph 6. **IMG_0023.JPEG** View of the RAS/WAS line on south side of the WWTP. Note that this line was not operational at the time of inspection.



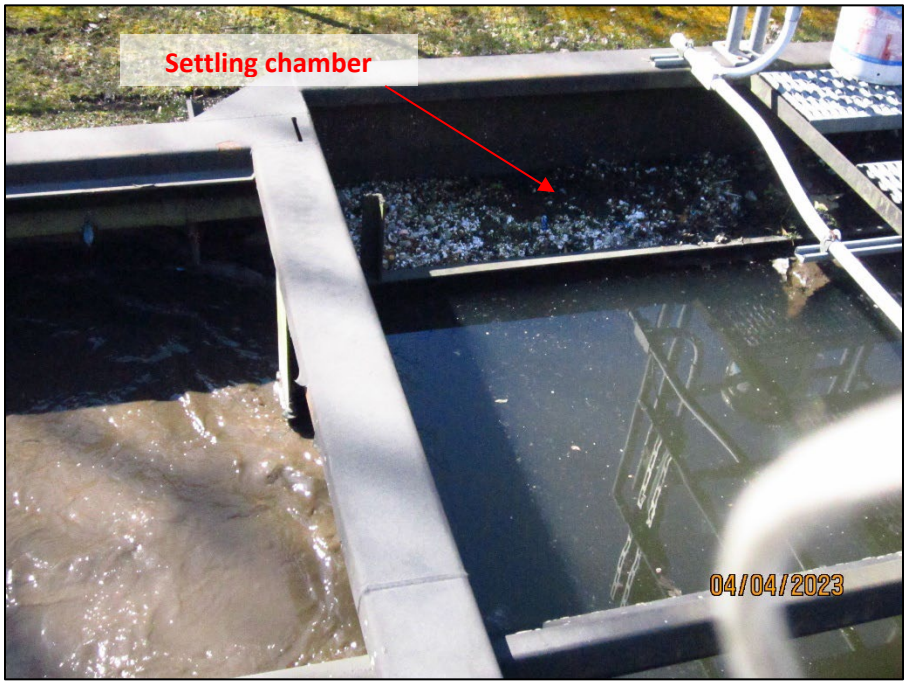
Photograph 7. **IMG_0023.JPEG** View of the RAS/WAS line discharge locations on the south side of the WWTP. The RAS valve was open, but there was not flow.



Photograph 8. **IMG_0027.JPEG** View of the EQ basin when the blowers were turned on. Note the heavy foam build-up.

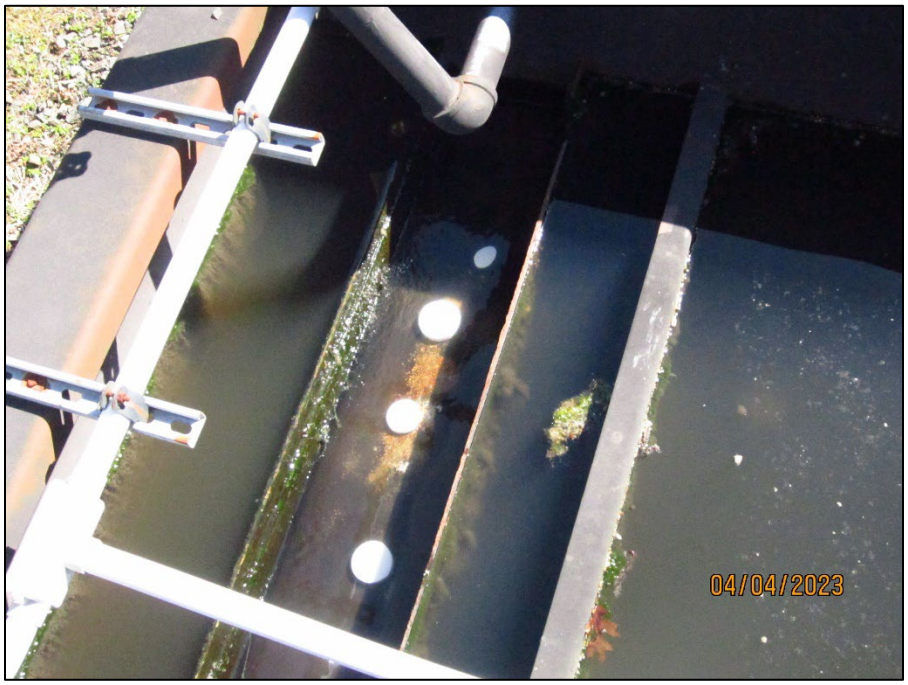


Photograph 9. **IMG_0032.JPEG** View of the air-lift pump in the clarifier on the north side of the WWTP.



Photograph 10. **IMG_0033.JPEG** View of the clarifier influent channel on the south side of the WWTP. Note the build-up of solids and debris in the influent channel that is causing short circuiting of the channel and increasing floatable debris directly into the clarifier.

Photograph 11. IMG_0036.JPEG View of floating solids in clarifier.



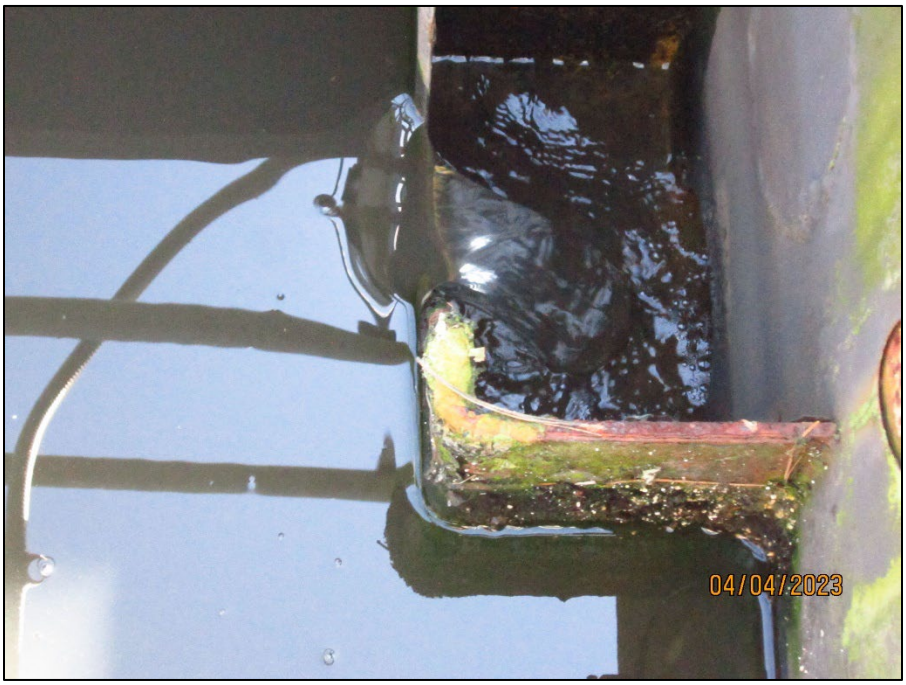
Photograph 12. IMG_0038.JPEG View of the effluent baffle and the weir trough leading to CCC. Note the cloudy water that turns brown as water was flows to the CCC.

Photograph 13. IMG_0039.JPEG Close-up view of the weir trough and effluent baffle. Note the cloudiness observed in Photograph 12 is caused by pin floc. Floating debris with algal growth was also observed.

Photograph 14. IMG_0043.JPEG View of the effluent weir trough leading to the CCC. Note the multiple chlorine tablets at different stages of dissolving.

Photograph 15. IMG_0045.JPEG View of the bulking solids in the clarifier near the skimmer. Note how the debris is tightly packed and not breaking up easily. Also note the vegetation growth on the floating debris.

Photograph 16. IMG_0049.JPEG View, facing south, of the CCC. A V-notch effluent weir was present on the south end.



Photograph 17. IMG_0052.JPEG View of effluent weir leading to Outfall 001. Note there was no staff gauge (primary measuring device) for measuring the height of the water.

Photograph 18. IMG_0058.JPEG View of the Plant's effluent sampler. Note that the door to the refrigeration unit was no longer attached to the sampler and had fallen off. No thermometer was observed inside. The door was held in position by leaning plastic shed components.

Photograph 19. IMG_0062.JPEG View of Outfall 001 and riprap with algal growth.

Photograph 20. IMG_0068.JPEG Close-up view of Outfall 001. Note the plastic debris lodged in the riprap.

Photograph 21. IMG_0072.JPEG View of paint and oil stored in the blower room without secondary containment.

Appendix B

Exhibit Log

Exhibit 1

EPA ECHO eDMR Data (April 2018 through March 2023)

Effluent Limit Exceedances Report
PA0063592: GILBERTON BORO - STP, MAHANOY PLANE, PA 17949
Monitoring Period Date Range: 04/01/2018 to 03/31/2023

Exceedance Details

Monitoring Per	Outfall	Parameter	Parameter	Average Da	Limit Type	DMR Value	dmr_value_	DMR Value	Contains P	Limit Value	Limit Value	Limit Value	% Exceeda	Load Over	TWPE Over	Number of Days with Exceedances	
5/31/2018	1	74055	Coliform, fecal general		INST MAX	2700	=	CFU/100mL		1000	<=	CFU/100m	170			31	1
3/31/2019	1	74055	Coliform, fecal general		INST MAX	11500	=	#/100mL	Y	10000	<=	#/100mL	15			31	1
6/30/2019	1	74055	Coliform, fe	0.0445	GEO MEAN	1260	>	#/100mL	Y	200	<=	#/100mL	Limit Violation			30	
6/30/2019	1	74055	Coliform, fecal general		INST MAX	20000	>	#/100mL	Y	1000	<=	#/100mL	Limit Violation			30	
8/31/2019	1	74055	Coliform, fecal general		INST MAX	14600	=	#/100mL	Y	1000	<=	#/100mL	1360			31	1
6/30/2020	1	300	Oxygen, dissolved (DO		DAILY MN	2.9	=	mg/L		5	>=	mg/L	42			30	1
6/30/2020	1	530	Solids, total suspended		WKLY AVG	31.20181	=	kg/d		17.0068	<=	kg/d	83			30	
6/30/2020	1	530	Solids, tota	0.1263	MO AVG	19.77324	=	kg/d		11.33787	<=	kg/d	74	558		30	30
6/30/2020	1	74055	Coliform, fecal general		INST MAX	40000	=	#/100mL	Y	1000	<=	#/100mL	3900			30	
6/30/2020	1	74055	Coliform, fe	0.1263	GEO MEAN	2037	=	#/100mL	Y	200	<=	#/100mL	919			30	
6/30/2020	1	80082	BOD, carbo	0.1263	MO AVG	9.478458	<	kg/d		9.433107	<=	kg/d	0	0		30	30
8/31/2020	1	300	Oxygen, dissolved (DO		DAILY MN	4.8	=	mg/L		5	>=	mg/L	4			31	1
12/31/2020	1	400	pH		INST MIN	5.4	=	SU		6	>=	SU				31	1
12/31/2020	1	530	Solids, total suspended		MO AVG	35.7	=	mg/L		30	<=	mg/L	19			31	31
12/31/2020	1	530	Solids, total suspended		WKLY AVG	47.3	=	mg/L		45	<=	mg/L	5			31	
1/31/2021	1	300	Oxygen, dissolved (DO		DAILY MN	4.6	=	mg/L		5	>=	mg/L	8			31	1
3/31/2021	1	300	Oxygen, dissolved (DO		DAILY MN	4.8	=	mg/L		5	>=	mg/L	4			31	1
3/31/2021	1	530	Solids, total suspended		MO AVG	32.3	=	mg/L		30	<=	mg/L	8			31	31
5/31/2021	1	300	Oxygen, dissolved (DO		DAILY MN	3.85	=	mg/L		5	>=	mg/L	23			31	1
5/31/2021	1	530	Solids, total suspended		MO AVG	79.7	=	mg/L		30	<=	mg/L	166			31	
5/31/2021	1	530	Solids, total suspended		WKLY AVG	99.5	=	mg/L		45	<=	mg/L	121			31	
5/31/2021	1	530	Solids, tota	0.03851	MO AVG	11.97279	=	kg/d		11.33787	<=	kg/d	6	43.4		31	
5/31/2021	1	74055	Coliform, fecal general		INST MAX	5700	=	#/100mL		1000	<=	#/100mL	470			31	
5/31/2021	1	74055	Coliform, fe	0.03851	GEO MEAN	625	=	#/100mL		200	<=	#/100mL	213			31	
6/30/2021	1	74055	Coliform, fecal general		INST MAX	11800	=	#/100mL		1000	<=	#/100mL	1080			30	
6/30/2021	1	74055	Coliform, fe	0.02571	GEO MEAN	934	=	#/100mL		200	<=	#/100mL	367			30	
7/31/2021	1	300	Oxygen, dissolved (DO		DAILY MN	4.49	=	mg/L		5	>=	mg/L	10			31	1
7/31/2021	1	400	pH		INST MIN	5.32	=	SU		6	>=	SU				31	1
11/30/2021	1	300	Oxygen, dissolved (DO		DAILY MN	4.13	=	mg/L		5	>=	mg/L	17			30	1
11/30/2021	1	530	Solids, tota	0.04492	MO AVG	55.78231	=	kg/d		11.33787	<=	kg/d	392	2940		30	30
11/30/2021	1	530	Solids, total suspended		WKLY AVG	136.0998	=	kg/d		17.0068	<=	kg/d	700			30	
11/30/2021	1	80082	BOD, carbonaceous, 0!		WKLY AVG	24.35374	=	kg/d		15.14739	<=	kg/d	61			30	
11/30/2021	1	80082	BOD, carbo	0.04492	MO AVG	10.24943	<	kg/d		9.433107	<=	kg/d	9	0		30	30
2/28/2022	1	300	Oxygen, dissolved (DO		DAILY MN	3.89	=	mg/L		5	>=	mg/L	22			28	1
3/31/2022	1	300	Oxygen, dissolved (DO		DAILY MN	2.82	=	mg/L		5	>=	mg/L	44			31	1
5/31/2022	1	400	pH		INST MIN	5.8	=	SU		6	>=	SU				31	1
6/30/2022	1	300	Oxygen, dissolved (DO		DAILY MN	4.23	=	mg/L		5	>=	mg/L	15			30	1
7/31/2022	1	530	Solids, total suspended		MO AVG	78	=	mg/L		30	<=	mg/L	160			31	31
7/31/2022	1	530	Solids, total suspended		WKLY AVG	124	=	mg/L		45	<=	mg/L	176			31	
8/31/2022	1	530	Solids, total suspended		WKLY AVG	82.5	=	mg/L		45	<=	mg/L	83			31	
8/31/2022	1	530	Solids, total suspended		MO AVG	55.7	=	mg/L		30	<=	mg/L	86			31	31
10/31/2022	1	530	Solids, tota	0.0547	MO AVG	18.54875	<	kg/d		11.33787	<=	kg/d	64	0		31	
10/31/2022	1	530	Solids, total suspended		WKLY AVG	182	=	mg/L		45	<=	mg/L	304			31	
10/31/2022	1	530	Solids, total suspended		MO AVG	48.8	<	mg/L		30	<=	mg/L	63			31	
10/31/2022	1	530	Solids, total suspended		WKLY AVG	71.92744	=	kg/d		17.0068	<=	kg/d	323			31	
1/31/2023	1	74055	Coliform, fecal general		INST MAX	20000	<	#/100mL		10000	<=	#/100mL	100			31	1

Exhibit 2

EPA ECHO Detailed Facility Report

Detailed Facility Report

Detailed Facility Report

Facility Summary

GILBERTON BORO - STP

2710 MAIN ST, MAHANOY PLANE, PA 17949

FRS (Facility Registry Service) ID: 110033202745
EPA Region: 03
Latitude: 40.792778
Longitude: -76.248056
Locational Data Source: NPDES
Industries: --
Indian Country: N

Enforcement and Compliance Summary

Statute	CWA
Compliance Monitoring Activities (5 years)	7
Date of Last Compliance Monitoring Activity	04/04/2023
Compliance Status	Significant/Category I Noncompliance
Qtrs in Noncompliance (of 12)	12
Qtrs with Significant Violation	2
Informal Enforcement Actions (5 years)	4
Formal Enforcement Actions (5 years)	--
Penalties from Formal Enforcement Actions (5 years)	--
EPA Cases (5 years)	--
Penalties from EPA Cases (5 years)	--

Regulatory Information

Clean Air Act (CAA): No Information
Clean Water Act (CWA): Minor, Permit Effective (PA0063592)
Resource Conservation and Recovery Act (RCRA): No Information
Safe Drinking Water Act (SDWA): No Information

Go To Enforcement/Compliance Details
Known Data Problems

Other Regulatory Reports

Air Emissions Inventory (EIS): No Information
Greenhouse Gas Emissions (eGGRT): No Information
Toxic Releases (TRI): No Information
Compliance and Emissions Data Reporting Interface (CEDRI): No Information

Facility/System Characteristics

Facility/System Characteristics

System	Statute	Identifier	Universe	Status	Areas	Permit Expiration Date	Indian Country	Latitude	Longitude
FRS		110033202745					N	40.792778	-76.248056
ICIS-NPDES	CWA	PA0063592	Minor: NPDES Individual Permit	Effective		07/31/2023	N	40.792778	-76.248056

Facility Address

System	Statute	Identifier	Facility Name	Facility Address	Facility County
FRS		110033202745	GILBERTON BORO - STP	2710 MAIN ST, MAHANOY PLANE, PA 17949	Schuylkill County
ICIS-NPDES	CWA	PA0063592	GILBERTON BORO - STP	2710 MAIN ST, MAHANOY PLANE, PA 17949-8023	

Facility SIC (Standard Industrial Classification) Codes

System	Identifier	SIC Code	SIC Description
ICIS-NPDES	PA0063592	4952	Sewerage Systems

Facility NAICS (North American Industry Classification System) Codes

System	Identifier	NAICS Code	NAICS Description

No data records returned

Facility Industrial Effluent Guidelines

Identifier	Effluent Guideline (40 CFR Part)	Effluent Guideline Description

No data records returned

Facility Tribe Information

Reservation Name	Tribe Name	EPA Tribal ID	Distance to Tribe (miles)

No data records returned

Enforcement and Compliance

Compliance Monitoring History

Last 5 Years

Statute	Source ID	System	Activity Type	Compliance Monitoring Type	Lead Agency	Date	Finding (if applicable)
CWA	PA0063592	ICIS-NPDES	Inspection/Evaluation	Base Program - Evaluation	EPA	04/04/2023	
CWA	PA0063592	ICIS-NPDES	Inspection/Evaluation	Base Program - Audit	State	08/04/2022	
CWA	*PA0063592*	*ICIS-NPDES*	*Inspection/Evaluation*	*Base Program - Reconnaissance without Sampling*	*State*	*05/09/2022*	
CWA	PA0063592	ICIS-NPDES	Inspection/Evaluation	Base Program - Audit	State	04/07/2022	
CWA	*PA0063592*	*ICIS-NPDES*	*Inspection/Evaluation*	*Base Program - Reconnaissance without Sampling*	*State*	*10/27/2021*	
CWA	PA0063592	ICIS-NPDES	Inspection/Evaluation	Base Program - Audit	State	01/12/2021	
CWA	PA0063592	ICIS-NPDES	Inspection/Evaluation	Base Program - Audit	State	12/29/2020	
CWA	*PA0063592*	*ICIS-NPDES*	*Inspection/Evaluation*	*Base Program - Reconnaissance without Sampling*	*State*	*08/18/2020*	
CWA	*PA0063592*	*ICIS-NPDES*	*Inspection/Evaluation*	*Base Program - Reconnaissance without Sampling*	*State*	*06/17/2020*	
CWA	PA0063592	ICIS-NPDES	Inspection/Evaluation	Base Program - Audit	State	04/29/2020	
CWA	*PA0063592*	*ICIS-NPDES*	*Inspection/Evaluation*	*Base Program - Reconnaissance without Sampling*	*State*	*06/20/2019*	
CWA	PA0063592	ICIS-NPDES	Inspection/Evaluation	Base Program - Evaluation	State	02/27/2019	

Entries in italics are not counted as EPA official inspections.

Compliance Summary Data

Statute	Source ID	Current SNC (Significant Noncompliance)/HPV (High Priority Violation)	Current As Of	Qtrs with NC (Noncompliance) (of 12)	Data Last Refreshed
CWA	PA0063592	Yes	12/31/2022	12	05/05/2023

Three-Year Compliance History by Quarter

Statute	Program/Pollutant/Violation Type				QTR 1	QTR 2	QTR 3	QTR 4	QTR 5	QTR 6	QTR 7	QTR 8	QTR 9	QTR 10	QTR 11	QTR 12	QTR 13+
CWA (Source ID: PA0063592)					01/01-03/31/20	04/01-06/30/20	07/01-09/30/20	10/01-12/31/20	01/01-03/31/21	04/01-06/30/21	07/01-09/30/21	10/01-12/31/21	01/01-03/31/22	04/01-06/30/22	07/01-09/30/22	10/01-12/31/22	01/01-05/05/23
	Facility-Level Status				Violation Identified	Violation Identified	Violation Identified	No Violation Identified	Violation Identified	Violation Identified	Violation Identified	Violation Identified	Violation Identified	Violation Identified	Significant/Category I Noncompliance	Significant/Category I Noncompliance	Violation Identified
	Quarterly Noncompliance Report History				Reportable Noncompliance	Reportable Noncompliance	Reportable Noncompliance	Resolved	Other Violation	Other Violation	Other Violation	Other Violation	Other Violation	Other Violation	Effluent - Monthly Average Limit	Effluent - Monthly Average Limit	
	Pollutant	Disch Point	Mon Loc	Freq													
CWA	BOD, carbonaceous [5 day, 20 C]	001 - A	Effluent Gross	Mthly		0%						9%					
CWA	BOD, carbonaceous [5 day, 20 C]	001 - A	Effluent Gross	NMth								61%					
CWA	Coliform, fecal general	001 - A	Effluent Gross	NMth		3900%				1080%							100%
CWA	Oxygen, dissolved [DO]	001 - A	Effluent Gross	Neither		42%	4%		8%	23%	10%	17%	44%	15%			
CWA	Solids, total suspended	001 - A	Effluent Gross	Mthly		74%		19%	8%	166%		392%			160%	64%	
CWA	Solids, total suspended	001 - A	Effluent Gross	NMth		83%		5%		121%		700%			176%	323%	
CWA	pH	001 - A	Effluent Gross	Neither				LIMIT VIOLATION			LIMIT VIOLATION			LIMIT VIOLATION			
	Single Event Violations			Agency													
CWA	Management Practice Violations - Improper Operation and Maintenance			State	06/20/2019	→	→	→	→	→	→	→	→	→	→	→	→
CWA	Effluent Violations - Numeric effluent violation			State			08/18/2020	→	→	→	→	→	→	→	→	→	→
CWA	Monitoring Violations - Frequency of Sampling Violation			State			08/18/2020	→	→	→	→	→	→	→	→	→	→
CWA	Effluent Violations - Numeric effluent violation			State								10/27/2021	→	→	→	→	→
CWA	Management Practice Violations - Improper Operation and Maintenance			State								10/27/2021	→	→	→	→	→

Statute	Program/Pollutant/Violation Type		QTR 1	QTR 2	QTR 3	QTR 4	QTR 5	QTR 6	QTR 7	QTR 8	QTR 9	QTR 10	QTR 11	QTR 12	QTR 13+
CWA	WW SSO - Discharge to Waters	State								10/27/2021	→	→	→	→	→
CWA	Effluent Violations - Numeric effluent violation	State										04/07/2022	→	→	→
CWA	Permit Violations - Violation Specified in Comment	State										04/07/2022	→	→	→
CWA	Management Practice Violations - Improper Operation and Maintenance	State										05/09/2022	→	→	→
CWA	Effluent Violations - Numeric effluent violation	State											08/04/2022	→	→
CWA	Permit Violations - Violation Specified in Comment	State											08/04/2022	→	→

Informal Enforcement Actions

Last 5 Years

Statute	System	Source ID	Type of Action	Lead Agency	Date
CWA	ICIS-NPDES	PA0063592	Base Program - Notice of Violation	State	08/04/2022
CWA	ICIS-NPDES	PA0063592	Base Program - Notice of Violation	State	04/07/2022
CWA	ICIS-NPDES	PA0063592	Base Program - Notice of Violation	State	12/07/2021
CWA	ICIS-NPDES	PA0063592	Base Program - Notice of Violation	State	11/12/2020

Entries in italics are not counted as "informal enforcement actions" in EPA policies pertaining to enforcement response tools.

Formal Enforcement Actions

Last 5 Years

Statute	System	Law/Section	Source ID	Type of Action	Case No.	Lead Agency	Case Name	Issued/Filed Date	Settlements/Actions	Settlement/Action Date	Federal Penalty Assessed	State/Local Penalty Assessed	Penalty Amount Collected	SEP Value	Comp Action Cost

No data records returned

Environmental Conditions

Watersheds

12-Digit WBD (Watershed Boundary Dataset) HUC (RAD (Reach Address Database))	WBD (Watershed Boundary Dataset) Subwatershed Name (RAD (Reach Address Database))	State Water Body Name (ICIS (Integrated Compliance Information System))	Beach Closures Within Last Year	Beach Closures Within Last Two Years	Pollutants Potentially Related to Impairment	Watershed with ESA (Endangered Species Act)-listed Aquatic Species?
020503010501	Upper Mahanoy Creek	LITTLE MAHANOY CREEK	No	No	Coliform, fecal general | pH	Yes

Assessed Waters From Latest State Submission (ATTAINS)

State	Report Cycle	Assessment Unit ID	Assessment Unit Name	Water Condition	Cause Groups Impaired	Drinking Water Use	Aquatic Life	Fish Consumption Use	Recreation Use	Other Use
PA	2022	PA-SCR-54961271	Mahanoy Creek-54961271	Impaired - 303(d) Listed - With Restoration Plan	METALS (OTHER THAN MERCURY) | PATHOGENS | PH/ACIDITY/CAUSTIC CONDITIONS	--	Not Supporting	--	Not Supporting	--
PA	2022	PA-SCR-54961331	Mahanoy Creek-54961331	Impaired - 303(d) Listed - With Restoration Plan	METALS (OTHER THAN MERCURY) | PATHOGENS | PH/ACIDITY/CAUSTIC CONDITIONS	--	Not Supporting	--	Not Supporting	--

Air Quality Nonattainment Areas

Pollutant	Within Nonattainment Status Area?	Nonattainment Status Applicable Standard(s)	Within Maintenance Status Area?	Maintenance Status Applicable Standard(s)
Ozone	Yes	1-Hour Ozone (1979)	No	--
Lead	No	--	No	--
Particulate Matter	No	--	No	--
Carbon Monoxide	No	--	No	--
Sulfur Dioxide	No	--	No	--

Pollutants

Toxics Release Inventory History of Reported Chemicals Released in Pounds per Year at Site

TRI Facility ID	Year	Total Air Emissions	Surface Water Discharges	Off-Site Transfers to POTWs (Publicly Owned Treatment Works)	Underground Injections	Releases to Land	Total On-Site Releases	Total Off-Site Transfers

No data records returned

Toxics Release Inventory Total Releases and Transfers in Pounds by Chemical and Year

Chemical Name

No data records returned

Community

Environmental Justice

This section shows indexes from EJScreen, EPA's screening tool for environmental justice (EJ) concerns. EPA uses these indexes to identify geographic areas that may warrant further consideration or analysis for potential EJ concerns. Use of these indexes does not designate an area as an "EJ community" or "EJ facility." EJScreen provides screening level indicators, not a determination of the existence or absence of EJ concerns. For more information, see the EJScreen home page.

EJScreen Indexes Shown

Compare to (●) US ( ) State

Index Type (●) Environmental Justice ( ) Supplemental

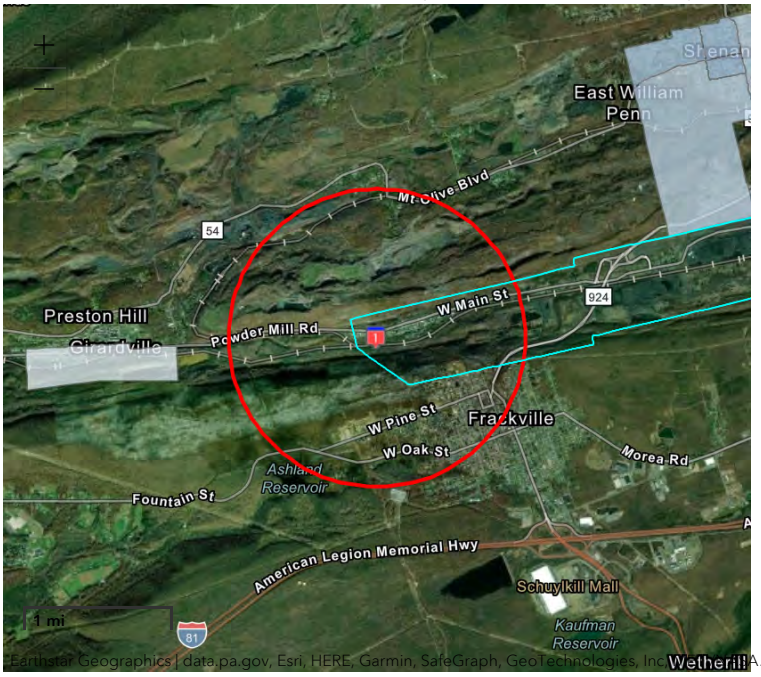
Related Reports

EJScreen Report

Download Data

Census Block Group ID: 421070007001	US (Percentile)	
Environmental Justice Indexes	**Facility Census Block Group**	**1-mile Max**
Count of Indexes At or Above 80th Percentile	**0**	**0**
Particulate Matter 2.5	40	41
Ozone	46	47
Diesel Particulate Matter	33	35
Air Toxics Cancer Risk	29	30
Air Toxics Respiratory Hazard Index	16	17
Traffic Proximity	41	57
Lead Paint	76	77
Risk Management Plan (RMP) Facility Proximity	59	66
Hazardous Waste Proximity	51	61
Superfund Proximity	52	53
Underground Storage Tanks (UST)	53	69
Wastewater Discharge	56	71

( ) Facility 1-mile Radius ☐ Facility Census Block Group



Demographic Profile of Surrounding Area (1 mile)

This section provides demographic information regarding the community surrounding the facility. ECHO compliance data alone are not sufficient to determine whether violations at a particular facility had negative impacts on public health or the environment. Statistics are based upon the 2010 U.S. Census and 2016 - 2020 American Community Survey (ACS) 5-year Summary and are accurate to the extent that the facility latitude and longitude listed below are correct. EPA's spatial processing methodology considers the overlap between the selected radii and the census blocks (for U.S. Census demographics) and census block groups (for ACS demographics) in determining the demographics surrounding the facility. For more detail about this methodology, see the DFR Data Dictionary.

General Statistics (U.S. Census)	
Total Persons	2,637
Population Density	832/sq.mi.
Housing Units in Area	1,361

General Statistics (ACS (American Community Survey))	
Total Persons	1,997
Percent People of Color	3%
Households in Area	775
Households on Public Assistance	29
Persons With Low Income	613
Percent With Low Income	31%

Geography	
Radius of Selected Area	1 mi.
Center Latitude	40.792778
Center Longitude	-76.248056
Land Area	100%
Water Area	0%

Income Breakdown (ACS (American Community Survey)) - Households (%)	
Less than $15,000	74 (9.52%)
$15,000 - $25,000	63 (8.11%)
$25,000 - $50,000	161 (20.72%)
$50,000 - $75,000	140 (18.02%)
Greater than $75,000	339 (43.63%)

Age Breakdown (U.S. Census) - Persons (%)	
Children 5 years and younger	140 (5%)
Minors 17 years and younger	557 (21%)
Adults 18 years and older	2,080 (79%)
Seniors 65 years and older	467 (18%)

Race Breakdown (U.S. Census) - Persons (%)	
White	2,596 (98%)
African-American	8 (0%)
Hispanic-Origin	21 (1%)
Asian/Pacific Islander	11 (0%)
American Indian	1 (0%)
Other/Multiracial	20 (1%)

Education Level (Persons 25 & older) (ACS (American Community Survey)) - Persons (%)	
Less than 9th Grade	30 (2.07%)
9th through 12th Grade	139 (9.58%)
High School Diploma	724 (49.9%)
Some College/2-year	231 (15.92%)
B.S./B.A. (Bachelor of Science/Bachelor of Arts) or More	205 (14.13%)

Exhibit 3
Gilberton Borough NOVs from PADEP

pennsylvania
DEPARTMENT OF ENVIRONMENTAL PROTECTION

November 12, 2020

NOTICE OF VIOLATION

Delivered via e-mail

Gilberton Borough
2710 Main Street
Mahanoy Plane, PA 17949

Attn: Mr. Daniel J. Malloy, Borough Council President

Re: Sewage
Gilberton Borough WWTP
NPDES Permit No. PA0063592
Gilberton Borough, Schuylkill County

Dear Mr. Malloy:

An administrative review of the Gilberton Borough ("Gilberton") Waste Water Treatment Plant's (WWTP) monthly Discharge Monitoring Reports (DMRs) reveals that the effluent has exceeded the parameter limitations established in your NPDES Permit No. PA0063592 on the following occasions:

Date	Parameter	Permit Limit	Reported Value
November 10, 2016	Fecal Coliform *(Instantaneous Maximum, Oct-Apr))*	10,000 CFU/100ml	16,700 CFU/100ml
May 2017	Fecal Coliform *(Geo Mean., May-Sept))*	200 CFU/100ml	209 CFU/100ml
May 2, 2018	Fecal Coliform *(Instantaneous Maximum, May-Sept))*	1,000 CFU/100ml	2,700 CFU/100ml
May 16, 2018	Fecal Coliform *(Instantaneous Maximum, May-Sept))*	1,000 CFU/100ml	1,260 CFU/100ml
March 13, 2019	Fecal Coliform *(Instantaneous Maximum, Oct-Apr))*	10,000 CFU/100ml	11,500 CFU/100ml
June 2019	Fecal Coliform *(Geo Mean., May-Sept))*	200 CFU/100ml	>1,260 CFU/100ml
June 5, 2019	Fecal Coliform *(Instantaneous Maximum, May-Sept))*	1,000 CFU/100ml	>20,000 CFU/100ml

June 12, 2019	Fecal Coliform *(Instantaneous Maximum, May-Sept))*	1,000 CFU/100ml	>20,000 CFU/100ml
August 7, 2019	Fecal Coliform *(Instantaneous Maximum, May-Sept))*	1,000 CFU/100ml	14,600 CFU/100ml
June 2020	CBOD5 *(Monthly Average)*	20.8 lbs/day	20.9 lbs/day
June 2020	Total Suspended Solids *(Weekly Average)*	37.5 lbs/day	68.8 lbs/day
June 2020	Total Suspended Solids *(Monthly Average)*	25.0 lbs/day	43.6 lbs/day
June 13, 2020	Dissolved Oxygen *(Instantaneous Minimum)*	5.0 mg/l	2.91 mg/l
June 14, 2020	Dissolved Oxygen *(Instantaneous Minimum)*	5.0 mg/l	3.58 mg/l
June 16, 2020	Dissolved Oxygen *(Instantaneous Minimum)*	5.0 mg/l	3.97 mg/l
June 2020	Fecal Coliform *(Geo Mean, May-Sept)*	200 /100ml	2,037 /100 ml
June 15, 2020	Fecal Coliform *(Instantaneous Maximum, May-Sept)*	1,000 /100ml	11,000 /100 ml
June 16, 2020	Fecal Coliform *(Instantaneous Maximum, May-Sept)*	1,000 /100ml	15,000 /100 ml
June 17, 2020	Fecal Coliform *(Instantaneous Maximum, May-Sept)*	1,000 /100ml	7,800 /100 ml
June 18, 2020	Fecal Coliform *(Instantaneous Maximum, May-Sept)*	1,000 /100ml	40,000 /100 ml
June 19, 2020	Fecal Coliform *(Instantaneous Maximum, May-Sept)*	1,000 /100ml	32,000 /100 ml
August 2020	Dissolved Oxygen *(Instantaneous Minimum)*	5.0 mg/l	4.8 mg/l

NPDES Permit No. PA0063592 requires $CBOD_5$ be monitored a minimum of twice per month. The January 2019 DMR indicated that the Gilberton failed to monitor and report $CBOD_5$ samples at least two times during the month of January 2019 which is a violation of NPDES Permit No. PA0063592.

NPDES Permit No. PA0063592 requires that influent BOD_5 be monitored and reported twice per month. The January 2019 DMR indicated that the Gilberton failed to monitor and report influent BOD_5 samples at least two times during the month of January 2019 which is a violation of NPDES Permit No. PA0063592.

A Compliance Evaluation Inspection was conducted by the Department at the Gilberton Borough wastewater treatment plant on June 20, 2019. During the inspection, it was discovered that the Equalization Tank pumps and blowers were offline and the influent pump station was only operating on one of two pumps. An inspection on August 18, 2020 confirmed that the same conditions continue to exist at the facility. Failure to operate and maintain the Equalization Tank as permitted and failure to operate and maintain the influent pump station as permitted are violations of 25 Pa Code 92a.41(a)5 and NPDES Permit No. PA0063592.

Additionally, it was reported by Gilberton, that on December 19, 2016, a Sanitary Sewer Overflow (SSO) occurred from a manhole at 1200 Railroad Street. It was reported that the SSO was caused by a bad breaker and resulted in an estimated 2,000 gallons of untreated waste water to overflow the manhole and adjacent culvert. SSO's are not authorized by NPDES Permit No. PA0063592 and are, therefore, violations of Sections 201 and 202 of the Clean Streams Law.

It was reported by Gilberton, that on August 13, 2018, a SSO occurred at the wastewater treatment plant due to heavy rains and excessive flows. It was estimated that the SSO was between 0.1 MGD and 0.5 MGD because the immediate area itself was underwater. SSO's are not authorized by NPDES Permit No. PA0063592 and are, therefore, violations of Sections 201 and 202 of the Clean Streams Law.

Finally, it was reported by Gilberton, that on April 30, 2020, a SSO occurred at the headworks of the wastewater treatment plant due to heavy rains and excessive flows. It was estimated that the SSO was between 0.1 MGD and 0.5 MGD because the immediate area itself was underwater. SSO's are not authorized by NPDES Permit No. PA0063592 and are, therefore, violations of Sections 201 and 202 of the Clean Streams Law.

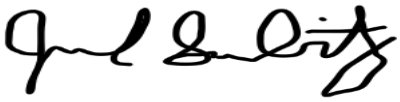
Please be advised that failure to comply with the terms and conditions of your NPDES Permit are violations of said Permit and the Clean Streams Law of Pennsylvania, Act of June 22, 1937, P.L. 1987, as amended, 35 P.S. Section 691.1 et seq. ("The Clean Streams Law") and subjects Gilberton Borough to appropriate enforcement action including, but not limited to, civil penalty assessment.

The Department requests that Gilberton Borough respond in writing to this Notice within 15 days of its receipt. Said response should indicate the cause of the above-mentioned effluent violations, why the appropriate monitoring was not completed in January 2019, the cause of the SSO's and what steps Gilberton have or will take to eliminate their occurrences. Additionally, please include the cause of the conditions which exist at the plant with regards to inoperable equipment. The Department also requests that Gilbertown Borough provide a corrective action plan to the Department within 30 days of its receipt outlining what steps Gilberton will take to return all the units back to functioning condition. Please confirm receipt of this Notice by sending an email to jsabitsky@pa.gov.

This Notice of Violation is neither an order nor any other final action of the Department. It neither imposes nor waives any enforcement action available to the Department under its statutes. If the Department determines that an enforcement action is appropriate, you will be notified of the action.

If you have any questions concerning this correspondence, you may contact me at 570-621-3458.

Sincerely,



Jared Sabitsky
Water Quality Specialist
Clean Water Program

CC: Gilberton Borough

pennsylvania
DEPARTMENT OF ENVIRONMENTAL PROTECTION

December 7, 2021

NOTICE OF VIOLATION

Delivered via e-mail

Gilberton Borough
2710 Main Street
Mahanoy Plane, PA 17949

Attn: Mr. Daniel J. Malloy, Borough Council President

Re: Sewage
Gilberton Borough WWTP
NPDES Permit No. PA0063592
Gilberton Borough, Schuylkill County

Dear Mr. Malloy:

An administrative review of the Gilberton Borough ("Gilberton") Waste Water Treatment Plant's ("WWTP") monthly Discharge Monitoring Reports ("DMRs") reveals that the effluent has exceeded the parameter limitations established in your NPDES Permit No. PA0063592 on the following occasions:

Date	Parameter	Permit Limit	Reported Value
December 2020	Total Suspended Solids *Monthly Average*	30.0 mg/L	35.7 mg/L
	Total Suspended Solids *Weekly Average*	45.0 mg/L	47.3 mg/L
December 4, 2020	pH *Instantaneous Minimum*	6.0 S.U.	5.4 S.U.
January 6, 2021	Dissolved Oxygen *Daily Minimum*	5.0 mg/L	4.63 mg/L
January 9, 2021	Dissolved Oxygen *Daily Minimum*	5.0 mg/L	4.59 mg/L
January 13, 2021	Dissolved Oxygen *Daily Minimum*	5.0 mg/L	4.83 mg/L
March 2021	Total Suspended Solids *Monthly Average*	30.0 mg/L	32.3 mg/L
March 27, 2021	Dissolved Oxygen *Daily Minimum*	5.0 mg/L	4.76 mg/L
May 2021	Total Suspended Solids *Monthly Average*	30.0 mg/L	79.7 mg/L
	Total Suspended Solids *Monthly Average*	25.0 lbs/day	26.4 lbs/day

	Total Suspended Solids *Weekly Average*	45.0 mg/L	99.5 mg/L
	Fecal Coliform *Geometric Mean*	200/100 ml	625/100 ml
May 5, 2021	Fecal Coliform *Instantaneous Maximum*	1,000/100 ml	5,700/100 ml
May 29, 2021	Dissolved Oxygen *Daily Minimum*	5.0 mg/L	3.85 mg/L
May 31, 2021	Dissolved Oxygen *Daily Minimum*	5.0 mg/L	4.8 mg/L
June 2021	Fecal Coliform *Geometric Mean*	200/100 ml	934/100 ml
June 9, 2021	Fecal Coliform *Instantaneous Maximum*	1,000/100 ml	11,800/100 ml
July 12, 2021	pH *Instantaneous Minimum*	6.0 S.U.	5.32 S.U.
July 13, 2021	Dissolved Oxygen *Daily Minimum*	5.0 mg/L	4.74 mg/L
July 24, 2021	Dissolved Oxygen *Daily Minimum*	5.0 mg/L	4.49 mg/L

NPDES Permit No. PA0063592, Part A.I.A. requires the collection and analysis of raw sewage influent samples twice per month. According to DMRs submitted by Gilberton Borough, improper sample types were collected for the following parameters:

Monitoring Period	**Parameter**	**Permitted Sample Type**	**Reported Sample Type**
December 9, 2020	BOD_5 *Raw Sewage Influent*	8-Hour Composite	Grab
	Total Suspended Solids *Raw Sewage Influent*	8-Hour Composite	Grab
December 22, 2020	BOD_5 *Raw Sewage Influent*	8-Hour Composite	Not Indicated
	Total Suspended Solids *Raw Sewage Influent*	8-Hour Composite	Not Indicated
January 6, 2021	BOD_5 *Raw Sewage Influent*	8-Hour Composite	Grab
	Total Suspended Solids *Raw Sewage Influent*	8-Hour Composite	Grab
January 13, 2021	BOD_5 *Raw Sewage Influent*	8-Hour Composite	Grab
	Total Suspended Solids *Raw Sewage Influent*	8-Hour Composite	Grab

NPDES Permit No. PA0063592, Part B.I.E.2. states the permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the terms and conditions of this permit.

On October 27, 2021 the Department of Environmental Protection ("Department") conducted an inspection of the Gilberton Borough Wastewater Treatment Plant. The Department viewed conditions at the wastewater treatment facility that were considered to be operational

deficiencies, in violation of NPDES Permit No. PA0063592, Part B.I.E.2. and 25 Pa Code 92a.41(a)5. During that inspection, the Department noted the following:

- Two (2) equalization tank pumps were out-of-service.
- One (1) aeration blower was out-of-service.
- The Return Activated Sludge (RAS)/Waste Activated Sludge (WAS) system was out-of-service.
- The comminutor was out-of-service.
- The auto-dialer alarm system on Pump Station #2 was out-of-service.

NPDES Permit No. PA0063592, Part B.I.H. prohibits the overflow of wastewater, or other untreated discharge from a separate sanitary sewer system (which is not a combined sewer system), which results from a flow in excess of the carrying capacity of the system or from some other cause prior to reaching the headworks of the sewage treatment facility.

The Department was notified by M&B Environmental, contract operator for the Gilberton Borough WWTP, that a Sanitary Sewer Overflow ("SSO") occurred on December 26, 2020. The SSO occurred at a manhole at the intersection of Beech Road and Railroad Street, resulting in the discharge of an estimated 200 gallons of raw sewage. M& B Environmental indicated that the cause of the SSO was a failure at a nearby pump station during a heavy rain event. Such discharges of sewage is a violation of Section 201 of the Clean Streams Law of Pennsylvania, Act of June 22, 1937, P.L. 1987 as amended, 35 P.S. Section 691.1 et. seq. ("The Clean Streams Law").

NPDES Permit No PA0063592, Part B.I.F. states the permittee shall take all reasonable steps to minimize or prevent any discharge, sludge use or disposal in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment.

The Department was notified by M&B Environmental that, on September 1, 2021, an overflow of an unknown volume occurred at the headworks of the WWTP due to heavy rain and excessive influent flow, in violation of NPDES Permit No. PA0063592. Part B.I.F.

A previous Notice of Violation for similar violations was sent to Gilberton Borough on November 12, 2020.

Please be advised that failure to comply with the terms and conditions of your NPDES Permit are violations of said Permit and the Clean Streams Law of Pennsylvania, Act of June 22, 1937, P.L. 1987, as amended, 35 P.S. Section 691.1 et seq. ("The Clean Streams Law") and subjects Gilberton Borough to appropriate enforcement action including, but not limited to, civil penalty assessment.

The Department requests that Gilberton Borough respond in writing to this Notice within 15 days of its receipt. Said response should indicate the cause of the above-described non-compliance and the steps that will be or have been taken to ensure future compliance.

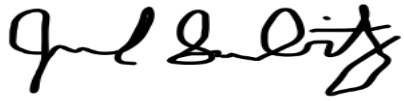
The Department requests that Gilberton Borough provide, within 30 days of receipt of this Notice, a corrective action plan outlining the steps Gilberton will take to return all inoperable units documented in the Department's October 21, 2021 inspection to a functioning condition, along with an associated timeline.

Please confirm receipt of this Notice by sending an email to jsabitsky@pa.gov.

This Notice of Violation is neither an order nor any other final action of the Department. It neither imposes nor waives any enforcement action available to the Department under its statutes. If the Department determines that an enforcement action is appropriate, you will be notified of the action.

If you have any questions concerning this correspondence, you may contact me at 570-621-3458.

Sincerely,



Jared Sabitsky
Water Quality Specialist
Clean Water Program

pennsylvania
DEPARTMENT OF ENVIRONMENTAL PROTECTION

April 7, 2022

SECOND NOTICE OF VIOLATION

Delivered via e-mail

Gilberton Borough
2710 Main Street
Mahanoy Plane, PA 17949

Attn: Mr. Daniel J. Malloy, Borough Council President

Re: Sewage
Gilberton Borough WWTP
NPDES Permit No. PA0063592
Gilberton Borough, Schuylkill County

Dear Mr. Malloy:

On December 7, 2021, the Department of Environmental Protection ("Department") sent a Notice of Violation ("Notice") to Gilberton Borough ("Gilberton") which addressed effluent violations, missed monitoring violations for influent Total Suspended Solids and BOD_5, sanitary sewer overflows (SSO's), and inspection violations documented in the Department's October 27, 2021 inspection.

As part of the response, the Department requested that Gilberton Borough provide, within 30 days of receipt of the Notice, a Corrective Action Plan outlining the steps Gilberton will take to return all inoperable units documented in the Department's October 21, 2021 inspection report to a functioning condition, along with an associated timeline.

On January 6, 2022, M&B Environmental, Inc. submitted a written response on behalf of Gilberton which stated "any corrective measures that would return all units back to functioning condition are currently on hold pending the outcome of Gilberton's annual operating budget." It was also stated that "Gilberton is currently in the process of developing its budget and will be sharing said budget with M&B and the Pennsylvania Department of Environmental Protection."

On February 9, 2022, a Department inquired with the Compliance Coordinator of M&B Environmental as to a status update for the Gilberton Borough budget and the Corrective Action Plan. The Compliance Coordinator of M&B Environmental responded the same day by saying "the budget process is still ongoing."

Again, on March 2, 2022, a Department inquired with the Compliance Coordinator of M&B Environmental as to a status update for the Gilberton Borough budget and the Corrective Action Plan. The Compliance Coordinator of M&B Environmental responded the same day by saying "the budget is still incomplete."

As of the date of this Notice, the Department has still not received the Corrective Action Plan and 2022 Annual Operating Budget for Gilberton Borough. NPDES Permit No. PA0063592, Part B.I.C. states the permittee shall furnish to the Department, within a reasonable time, any information which the Department may request to determine whether cause exists for modifying, revoking and reissuing, or terminating said permit, or to determine compliance with said permit. Failure to provide the requested Corrective Action Plan and 2022 Annual Operating Budget for Gilberton Borough is a violation of NPDES Permit No. PA0063592, Part B.I.C.

A review of Gilberton Borough's monthly Discharge Monitoring Reports ("DMRs") has indicated an effluent violation with respect to the limitations set forth in NPDES Permit No. PA0063592. Specifically, the violation reflected in the DMR is as follows:

Date	**Parameter**	**Permit Limit**	**Reported Value**
November 12, 2021	Dissolved Oxygen *Daily Minimum*	5.0 mg/L	4.13 mg/L

Please be advised that failure to comply with the terms and conditions of your NPDES Permit are violations of said Permit and the Clean Streams Law of Pennsylvania, Act of June 22, 1937, P.L. 1987, as amended, 35 P.S. Section 691.1 et seq. ("The Clean Streams Law") and subjects Gilberton Borough to appropriate enforcement action including, but not limited to, civil penalty assessment.

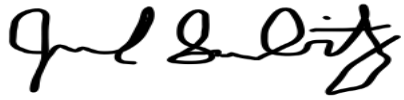
The Department requests that Gilberton Borough respond in writing to this Notice within 15 days of its receipt. Said response should provide an explanation of the non-compliance described above and the steps that will be taken to ensure future compliance. Said response should also include a copy of the 2022 Annual Operating Budget as well as a Corrective Action Plan outlining the steps Gilberton will take to return all inoperable units documented in the Department's October 21, 2021 inspection report to a functioning condition, along with an associated timeline.

Please confirm receipt of this Notice by sending an email to jsabitsky@pa.gov.

This Notice of Violation is neither an order nor any other final action of the Department. It neither imposes nor waives any enforcement action available to the Department under its statutes. If the Department determines that an enforcement action is appropriate, you will be notified of the action.

If you have any questions concerning this correspondence, you may contact me at 570-621-3458.

Sincerely,



Jared Sabitsky
Water Quality Specialist
Clean Water Program

pennsylvania
DEPARTMENT OF ENVIRONMENTAL PROTECTION

August 4, 2022

THIRD NOTICE OF VIOLATION

Delivered via e-mail

Gilberton Borough
2710 Main Street
Mahanoy Plane, PA 17949

Attn: Mr. Daniel J. Malloy, Borough Council President

Re: Sewage
Gilberton Borough WWTP
NPDES Permit No. PA0063592
Gilberton Borough, Schuylkill County

Dear Mr. Malloy:

On December 7, 2021, the Department of Environmental Protection ("Department") sent a Notice of Violation ("NOV") to Gilberton Borough ("Gilberton") which addressed effluent violations, missed monitoring violations for influent Total Suspended Solids and BOD_5, sanitary sewer overflows ("SSO"), and inspection violations documented in the Department's October 27, 2021 inspection.

As part of the response, the Department requested that Gilberton provide, within 30 days of receipt of the NOV, a Corrective Action Plan outlining the steps Gilberton will take to return all inoperable units documented in the Department's October 21, 2021 inspection report to a functioning condition, along with an associated timeline.

On January 6, 2022, M&B Environmental, Inc. submitted a written response, on behalf of Gilberton, which stated, "any corrective measures that would return all units back to functioning condition are currently on hold pending the outcome of Gilberton's annual operating budget." It was also stated, "Gilberton is currently in the process of developing its budget and will be sharing said budget with M&B and the Pennsylvania Department of Environmental Protection."

On February 9, 2022, the Department inquired via e-mail with the Compliance Coordinator of M&B Environmental, Inc. as to the status of Gilberton's budget and the Corrective Action Plan. The Compliance Coordinator of M&B Environmental, Inc. responded the same day via e-mail and stated, "the budget process is still ongoing."

On March 2, 2022, the Department again inquired via e-mail with the Compliance Coordinator of M&B Environmental, Inc. as to the status of Gilberton's budget and the Corrective Action Plan. The Compliance Coordinator of M&B Environmental, Inc. responded the same day via e-mail and stated, "the budget is still incomplete."

NPDES Permit No. PA0063592, Part B.I.C. states the permittee shall furnish to the Department, within a reasonable time, any information which the Department may request to determine whether cause exists for modifying, revoking and reissuing, or terminating said permit, or to determine compliance with said permit.

As of the date of this Notice, the Department has not yet received the requested Corrective Action Plan and 2022 Annual Operating Budget for Gilberton, which constitutes a violation of NPDES Permit Part B.I.C.

A previous NOV for similar violations was sent to Gilberton on April 7, 2022 via e-mail. The Department received Gilberton's response on April 27, 2022 and deemed the response insufficient as it did not adequately address the Department's request for a Corrective Action Plan and budget.

On May 9, 2022, the Department performed an inspection of Gilberton's wastewater treatment plant. A copy of the inspection report was emailed on May 12, 2022 and Department records indicate Gilberton received and read the report on May 16, 2022. As part of the May 9, 2022 inspection, the Department requested that Gilberton have the wastewater treatment plant and pump stations evaluated by a 3rd party, a Pennsylvania licensed professional engineer. In addition, the Department requested Gilberton provide a copy of the engineer's evaluation report and plan to address the issues identified in the report within 60 days. The engineer's evaluation report was due July 15, 2022 and the Department has no record of receiving said report.

A review of Gilberton's monthly Discharge Monitoring Reports ("DMRs") has indicated effluent violations with respect to the limitations set forth in NPDES Permit No. PA0063592. Specifically, the violations reflected in the DMRs are as follows:

Date	**Parameter**	**Permit Limit**	**Reported Value**
November 2021	$CBOD_5$ *Monthly Average*	20.8 lbs/day	<22.6 lbs/day
	$CBOD_5$ *Weekly Average*	33.4 lbs/day	53.7 lbs/day
	Total Suspended Solids *Monthly Average*	25.0 lbs/day	123 lbs/day
	Total Suspended Solids *Weekly Average*	37.5 lbs/day	300.1 lbs/day
February 4, 2022	Dissolved Oxygen *Daily Minimum*	5.0 mg/L	3.89 mg/L
March 11, 2022	Dissolved Oxygen *Daily Minimum*	5.0 mg/L	3.05 mg/L
March 12, 2022	Dissolved Oxygen *Daily Minimum*	5.0 mg/L	3.97 mg/L
March 17, 2022	Dissolved Oxygen *Daily Minimum*	5.0 mg/L	2.82 mg/L

May 30, 2022	pH *Minimum*	6.0 std units	5.8 std units
June 17, 2022	Dissolved Oxygen *Daily Minimum*	5.0 mg/L	4.23 mg/L

Please be advised that failure to comply with the terms and conditions of your NPDES Permit are violations of said Permit and the Clean Streams Law of Pennsylvania, Act of June 22, 1937, P.L. 1987, as amended, 35 P.S. Section 691.1 et seq. ("The Clean Streams Law") and subjects Gilberton Borough to appropriate enforcement action including, but not limited to, civil penalty assessment.

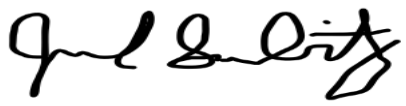
Due to the recurrent nature of the violations and to discuss their resolutions further, the Department has scheduled an enforcement conference for **Wednesday, October 12, 2022 at 10:00 a.m.** in the Department's Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA. **The Department requests that you personally attend this meeting along with your certified operator** and anyone else you deem necessary. Please come to this meeting prepared to discuss the cause of these violations, the steps that have been taken to correct them, and a schedule of compliance**. The Department requests that you contact Ms. Kelsey Glavich, Acting Water Quality Specialist Supervisor, at 570-826-2367**, **on or before September 7, 2022 to confirm your attendance** and inform the Department who will be attending the meeting in addition to yourself.

Please confirm receipt of this NOV by sending an email to jsabitsky@pa.gov.

This Notice of Violation is neither an order nor any other final action of the Department. It neither imposes nor waives any enforcement action available to the Department under its statutes. If the Department determines that an enforcement action is appropriate, you will be notified of the action.

If you have any questions concerning this correspondence, you may contact me at 570-621-3458.

Sincerely,



Jared Sabitsky
Water Quality Specialist
Clean Water Program

Exhibit 4
Castle Valley Consultants 3rd Party Evaluation

GILBERTON BOROUGH WWTP INVESTIGATION REPORT

Prepared for
M&B Environmental
744 Harleysville Pike,
Harleysville, PA 19438

April 14, 2023

CASTLE VALLEY CONSULTANTS
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New Britain, PA
(215) 348-8257

Section 1 Introduction

1.1 Background

The Gilberton Boro STP services the Gilberton Borough wastewater needs. The STP is currently owned by the Gilberton Borough. The plant is contract operated by M&B Environmental, INC. An aerial site plan is included at the end of this report as Figure 1-1.

The STP receives flow from three offsite pump stations, each serving a portion of the borough along Main Street. The WWTP was built in the mid-2000s and has undergone modifications through in the mid-2000s. The facility operates under PADEP permit number PA0063592.

The wastewater treatment facility utilizes an activated sludge process and comprises a flow equalization tank equipped with a comminutor, a sole integrated biological treatment tank that incorporates aeration, clarification, and solids handling, chlorine disinfection, and a post-aeration chamber before releasing the treated water into the Mahanoy Creek. There is also a backup emergency generator that can power the entire plant. None of pump stations have backup power.

1.1.1 Discharge Permit

The STP operates under permit PA 0063592, last issued on August 1st, 2018 and expiring on July 31st, 2023. The final permit is included in Appendix A and the effluent limits are summarized in Table 1-1.

Table 1-1 Summary of GWDP Effluent Discharge Standards

Parameter	Limitations	Monitoring Requirements	
	Concentrations (mg/l)	Minimum Measurement Frequency	Required Sample Type
Flow (mgd)	N/A	Continuous	Recorded
pH (S.U.)	6.0 Inst Min 9.0 Inst Max	5/week	Grab
Dissolved Oxygen	5.0 Daily Min	5/week	Grab
Carbonaceous Biochemical Oxygen Demand (CBOD5)	Monthly Avg 25.0 Weekly Avg 40.0 Inst. Max 50.0	2/month	8-Hr Composite
Biochemical Oxygen Demand (BOD5) Raw Sewage Influent	Report	2/month	8-Hr Composite
Total Suspended Solids	Monthly Avg 30.0 Weekly Avg 45.0 Inst. Max 60.0	2/month	8-Hr Composite
Total Suspended Solids Raw Sewage Influent	Report	2/month	8-Hr Composite
Fecal Coliform (No./100 ml) Oct 1 - Apr 30	Monthly Avg 2,000 (Geo Mean) Inst. Max 10,000	2/month	Grab

Parameter	Limitations	Monitoring Requirements	
	Concentrations (mg/l)	Minimum Measurement Frequency	Required Sample Type
Fecal Coliform (No./100 ml) May 1 - Sep 30	Monthly Avg 200 (Geo Mean) Inst. Max 1,000	2/month	Grab
Nitrate-Nitrite as N (lbs./year)	Report Annual Avg	1 year	8-Hr Composite
Total Nitrogen (lbs./year)	Report Annual Avg	1 year	Calculation
Ammonia-Nitrogen	Monthly Avg 25.0 Weekly Avg 40.0 Inst. Max 50.0	2/month	8-Hr Composite
Total Kjeldahl Nitrogen (lbs./year)	Report Annual Avg	2/month	8-Hr Composite
Total Phosphorus (lbs./year)	Report Annual Avg	2/month	8-Hr Composite
Total Residual Chlorine (TRC)	Monthly Avg 0.50 Inst. Max 1.60	5/week	Grab

1.1.1 History of Violations

The STP has had a history of permit violations. As part of this evaluation, WWTP data was analyzed from January 2016 to December 2022.

Date	Violation	Parameter	Measurement
April 2016	Fecal Coliform	Instantaneous Max	11,000 CFU/100
July 2016	Fecal Coliform	Instantaneous Max Geo Mean	2,100 CFU/100 845 CFU/100
August 2016	Fecal Coliform	Instantaneous Max Geo Mean	5,300 CFU/100 1,302 CFU/100
November 10, 2016	Fecal Coliform	Instantaneous Max	16,700 CFU/100
May 2017	Fecal Coliform	Geo Mean	209 CFU/100
May 2, 2018	Fecal Coliform	Instantaneous Max	2,700 CFU/100
May 16, 2018	Fecal Coliform	Instantaneous Max	1,260 CFU/100
March 13, 2019	Fecal Coliform	Instantaneous Max	11,500 CFU/100
June 2019	Fecal Coliform	Geo Mean	1,260 CFU/100
June 5, 2019	Fecal Coliform	Instantaneous Max	20,000 CFU/100
June 12, 2019	Fecal Coliform	Instantaneous Max	20,000 CFU/100
August 7, 2019	Fecal Coliform	Instantaneous Max	14,600 CFU/100
June 2020	CBOD5	Monthly Average	20.9 lbs./day
June 2020	Total Suspended Solids	Weekly Average	68.8 lbs./day
June 2020	Total Suspended Solids	Monthly Average	43.6 lbs./day
June 13, 2020	Dissolved Oxygen	Instantaneous Minimum	2.91 mg/l
June 14, 2020	Dissolved Oxygen	Instantaneous Minimum	3.58 mg/l

Date	Violation	Parameter	Measurement
June 16, 2020	Dissolved Oxygen	Instantaneous Minimum	3.97 mg/l
June 2020	Fecal Coliform	Geo Mean	2,037 CFU/100
June 15, 2020	Fecal Coliform	Instantaneous Max	11,000 CFU/100
June 16, 2020	Fecal Coliform	Instantaneous Max	15,000 CFU/100
June 17, 2020	Fecal Coliform	Instantaneous Max	7,800 CFU/100
June 18, 2020	Fecal Coliform	Instantaneous Max	40,000 CFU/100
June 19, 2020	Fecal Coliform	Instantaneous Max	32,000 CFU/100
August 2020	Dissolved Oxygen	Instantaneous Minimum	3.58 mg/l
November 2021	CBOD5	Monthly Average	22.6 lbs./day
	CBOD5	Weakly Average	53.7 lbs./day
	Total Suspended Solids	Weekly Average	300.1 lbs./day
	Total Suspended Solids	Monthly Average	123 lbs./day
February 4, 2022	Dissolved Oxygen	Instantaneous Minimum	3.89 mg/l
March 11, 2022	Dissolved Oxygen	Instantaneous Minimum	3.05 mg/l
March 12, 2022	Dissolved Oxygen	Instantaneous Minimum	3.97 mg/l
March 17, 2022	Dissolved Oxygen	Instantaneous Minimum	2.82 mg/l
May 30, 2022	pH	Minimum	5.8 std units
June 17, 2022	Dissolved Oxygen	Instantaneous Minimum	4.23 mg/l

The Commonwealth of Pennsylvania also noted the following violations:

Sanitary Sewer Overflow (SSO)

- December 19, 2016, a SSO occurred from a manhole at 1200 Railroad Street.
- August 13, 2018, a SSO occurred at the wastewater treatment plant due to heavy rains and excessive flows.
- April 30, 2020, a SSO occurred at the headworks of the wastewater treatment plant due to heavy rains and excessive flows.

January 2019 DMR

- Failed to monitor and report CBOD5 samples at least two times during the month.
- Failed to monitor and report influent BOD5 samples at least two times during the month.

June 2019

- During the inspection, it was discovered that the Equalization Tank pumps and blowers were offline and the influent pump station was only operating on one of two pumps. An inspection on August 18, 2020 confirmed that the same conditions continued to exist at the facility. Failure to operate and maintain the Equalization

Tank as permitted and failure to operate and maintain the influent pump station as permitted.

October 27, 2021 PADEP Inspection

1. The 2 permitted pumps for the equalization tank are out of service.
2. One of two permitted aeration blowers do not work due to an electrical issue.
3. Return activated sludge and waste activated sludge air lift was not working at time of inspection.
4. Comminutor has been removed from the treatment plant and has not been in service for a few years.

May 9, 2022 PADEP Inspection

During a PADEP inspection the following items were not in compliance:

1. Rags/solids/debris from a previous SSO and/or equipment repair work was visually evident on the ground around the EQ Tank and Pump Station #3.
2. The 2 permitted pumps for the equalization tank are out of service.
3. One of two permitted aeration blowers don't work due to an electrical issue.
4. Return activated sludge and waste activated sludge air lift was not working at time of inspection.
5. Comminutor has been removed from the treatment plant and has not been in service for a few years.
6. Auto-Dialer alarm on pump station #2 does not work.

The majority of the violation are due to fecal coliform as a result of improper disinfection. The presence of fecal coliform in the samples indicates the disinfection system is not working properly.

The violations are the result of mechanical equipment failure and not operator error. The violations typically occur when too much influent flow enters the process tank due to a failure of the FET pumps and/or pump controls. It also is noted that the several blowers were not in service during the PADEP inspections as also noted during our inspection of the facilities.

1.1.2 PADEP Notice of Violation

As a result of historical permit violations, the plant has received notice of violations (NOV) throughout the years. The most recent NOV was received on August 4, 2022. The notice documented several occasions in which the effluent discharge standards were violated between November 2021 and June 2022.

1.2 Report Purpose

The overall project for the Gilberton WWTP consists of two phases with an option to include a third. This report (Phase 1) intended to provide a detailed background of the Gilberton Borough

WWTP, its usage and compliance history, and a description of the current condition of the treatment facilities and performance.

Recommended upgrades are also provided in this report along with their associated costs and recommended timeline. Phase 2 of the project addresses the planning, evaluating how the upgrades will be installed.

The Phase 1 report is set up as follows:

Section 1 – Introduction

Section 2 – Condition Assessment

Section 3 – WWTP Recommendations

1.3 Project Scope

The scope of Phase 1 includes the study and evaluation of the WWTP's existing condition and performance. Future capacity, performance, and treatment alternatives will be discussed in the next phase.

The Phase 1 project scope includes the following:

1. Collect and review relevant data and information including:
    a. Operating and maintenance data for the existing WWTP
    b. Permit compliance and historical discharge monitoring report (DMR) data (3 years)
    c. Project-related data such as manuals and drawings
    d. Conduct a site visit of the wastewater plant to evaluate existing condition of the facilities

Section 2 STP Condition Assessment

2.1 Description of Existing Facilities

The WWTP and collection system at the Borough of Gilberton consists of three offsite pump stations, the sewer collection system, and the WWTP processes and equipment. A description, purpose, and evaluation of each unit process and equipment is included below. In order to assist in following the descriptions, a process flow schematic is included as Figure 2-1.

The unit processes, equipment, and structures were observed and evaluated during a site visit on November 17, 2022 attended by CVC engineers and the WWTP contract operator. Each section below goes into greater detail and develops the basis for recommendations in Section 3 of this report.

2.2 Process Evaluation

The process evaluation for the WWTP seeks to establish the condition of the existing equipment and process tankage, its remaining useful life, an understanding of how they are operated, and whether or not improvements are necessary. This section will follow the treatment path of the wastewater through the plant.

The WWTP is a Purestream sewage treatment system based on the extended aeration method of sewage treatment. This method of treatment consists of the following operations:

a. Screening

b. Flow equalization

c. Process Tank (Aeration and Settling)

d. Disinfection

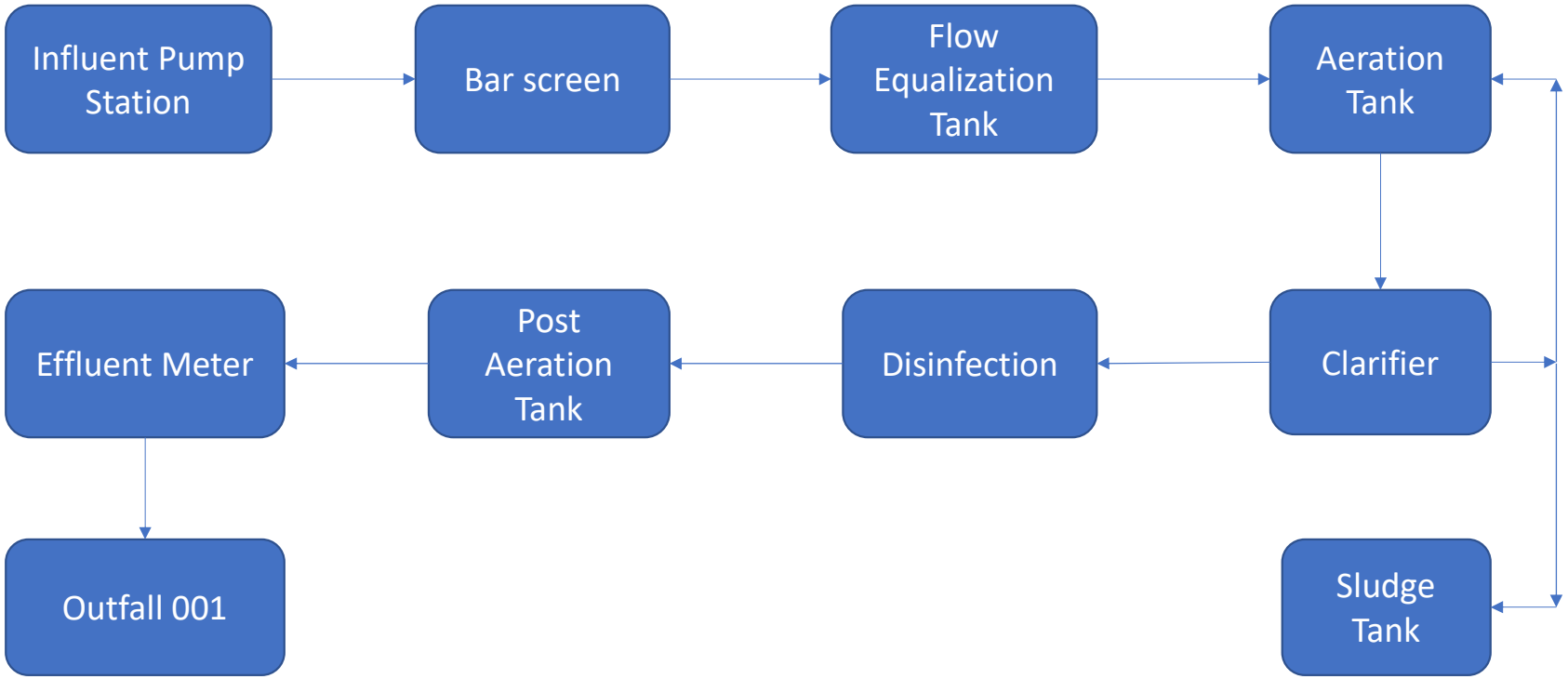
e. Post aeration

2.2.1 Control Building and Main Pump Stations

There are three offsite pump stations that are part of the sewer collection system. One serves as the main influent pump, collecting flow around the treatment plant, and the discharge from the other two pump stations. These remote stations serve two areas of housing in the Borough along Main Street. All stations are submersible-type pump stations, with separate wet well and valve chambers. They operate automatically with a float type level control system.

The pumps were not inspected as they are submersible and were not removed as part of the site visit. The estimated life span of the wet wells are 100 years. The estimated life span is 20 years for the pumps and motors. It was noted during our site visit that one of the pumps was removed from pump station No. 3, and a temporary portable unit was installed above ground to service the pump station.

All pump stations have local alarming and dial-out alarm features. Odor issues do not appear to be a significant problem.



Process Flow Schematic
Figure 2-1

2.2.2 Screening

When the sewage first enters the plant, it passes through a screening device prior to entering the Flow Equalization Tank (FET). The original plant design had a comminutor as its screen device with a bar screen backup. The comminutor or cutter was designed to cut or shred large solids. Smaller particles can be more readily digested by the bacteria in the aeration tank. While the bar screen serves a similar propose of keeping large objects out of the process stream, without daily cleaning it can clog and cause an overflow of the screen, which leads to larger objects entering the FET.

2.2.2 Flow Equalization Tank

Wastewater first enters the STP through the flow equalization tank (FET). The tank is constructed of metal, as part of the Purestream package plant, and initial observation indicated that it was structurally sound. The purpose of the FET is to provide additional holding volume to allow the plant to feed wastewater at a more consistent, slower rate to the aeration tank, so it is not overloaded. Flow is pumped to the adjacent aeration tank from either one of the transfer pumps. The tank contains two submersible pumps (transfer pumps) that are mounted on a slide rail system to allow for easy access and maintenance. In discussing with operations, the pumps have been replaced and but information was not available on the size of the new pumps.

2.2.4 Process Tank

Aeration - The flow first enters the aeration basin where organic matter present in the wastewater is broken down and consumed by bacteria. This is done by introducing air along one side of the tank via the bottom air diffusers, thereby setting up mixing currents within the liquid and maintaining an adequate air supply to allow the organisms to decompose the sewage into carbon dioxide, water, and other minor constituents. The air is provided by a rotary blower housed in the control building. The air is piped through air header pipes to the diffusers at the bottom of the aeration tank. A second blower for stand-by service may be provided. Each blower is equipped with a timer to control the amount of air supplied. The aeration tank is designed to provide a volume equal to the total twenty-four-hour flow.

Settling - From the aeration tank, the treated sewage, mixed with the activated sludge, passes through a port in the wall into the settling tank or clarifier. In the settling tank, the heavy activated sludge mass settles to the bottom and the clear treated liquid flows over a vertical metal plate or weir into the discharge line.

The volume is provided in this tank to retain the sewage for a four-hour period. The settled sludge or bacteria is then returned back to the aeration tank by the air lift sludge return system to assist in decomposing incoming sewage. This system consists of a large diameter pipe extending from above the settling tank down to the hopper-shaped bottom of the tank. Air is injected into this pipe near the bottom. As the air rises in the pipe, sludge is drawn into the pipe and lifted to the top. From here, it enters another horizontal pipe to the front of the aeration tank, where it is mixed with more incoming sewage. An air lift skimmer, operated on the same principle, is usually installed in the settling tank so that floating solids can be removed and discharged back into the aeration tank.

It was observed during our site visit that sludge was on top of the air piping in the tank, indicating the level in the tank had recently been into freeboard. The operator indicated that with the increased flow, the water level occasionally enters into freeboard. It was also noted that issues adjusting the air pump to assure adequate return to the head of the plant can also lead to this condition.

Sludge Tank – A separate tank is provided for sludge holding. The supply line feeding the tank branches off of the sludge return system to allow a portion of the activated sludge to be diverted to a sludge holding tank. The sludge holding tank is equipped with an aeration header to supply air to the tank to prevent septic conditions. The air is provided by a rotary blower housed in the control building; the air is piped through air header pipes to the diffusers at the bottom of the aeration tank. A second blower for stand-by service may be provided. Each blower is equipped with a timer to control the amount of air supplied. The operator can decant from the tank to the head of plant to thicken the sludge prior to removal offsite.

During our site visit it was noted that a blower was out for repair.

2.3.5 Disinfection

Chlorination - The treated liquid (the effluent) discharged from the settling tank then passes through chlorination facilities; this is done to kill the disease-carrying (pathogenic) bacteria which might be in the effluent. The plant uses a tablet chlorinator followed by a contact tank and post aeration tank prior to the outfall.

The tablet chlorinator consists of a basin where tubes containing a stack of chlorine tablets are placed. The top of the tubes extends above the surface and is protected by a cap. The bottom tablet in the tube is in contact with the wastewater flowing through the basin. As that tablet dissolves and/or erodes, the tablet above falls by gravity to replace it.

A tablet can dissolve quickly or slowly, depending on the volume and flow of wastewater coming into contact with it, the properties of the tablet, and the length of contact time. A balance must be struck regarding the contact time in the chlorinator basin. If the contact time is too long, the wastewater becomes over-chlorinated and the tablets are consumed rapidly; if the contact time is too short, the wastewater is not disinfected sufficiently.

2.3.6 Post Aeration

Effluent flows from the tablet chlorination system into a post aeration tank. Post-aeration is needed to meet the NPDES discharge limit of 5 mg/L of dissolved oxygen in the effluent. Air is currently provided by two shared blowers (for both the sludge tank and the post aeration tank), one operating and one on standby, to a coarse bubble diffuser located in the post-aeration tank.

It is noted that one of the blowers was out for repair during our inspection.

2.3.7 Discharge

Discharge—Final effluent flows from the post aeration tank and V notch weir to its discharge location at Outfall 001 on Mahanoy Creek. An effluent composite sampler is located at the discharge of the post aeration basin. NPDES permit requires composite sampling for all

parameters other than fecal coliform, pH and D.O., which are grab sample. The composite sampler was confirmed operational during the site visit.

Section 3 WWTP Recommendations

These recommendations are prepared to address the violations submitted via letter from Pennsylvania Department of Environmental Protection (PADEP) dated August 4, 2022 and the host of previous violations noted in prior inspection reports. Enclosed in the PADEP letter was a list of the violations that occurred from November 2021 through June 2022. The list identified ten (10) recent effluent violations of the NPDES permit. The following table shows the breakdown of those violations along with previous violations from 2016 forward and found the following:

Table 3-1. Violations Breakdown

Effluent Limit Characteristic Violations	Number of Violations
Fecal Coliform Bacteria (FC) (colonies/100ml)	18
Dissolved Oxygen (DO)	8
Biochemical Oxygen Demand (BOD)	3
Total Suspended Solids (TSS)	4

From Table 3-1 it appears that the two main areas of concern are the Fecal Coliform and DO. In our inspection of the facility, it appears that the plant is maintained and operated according the manufacturer's recommendations. However, the collection system appears to have a I&I problem, which is leading to the Fecal and DO violations.

Fecal Coliform Bacteria (FC)

When reviewing the issues with the fecal coliform with operations, it appears the violations occur with high flows to the plant which causes the tablet chlorinator to be ineffective. This concurs with the SSO's that the plant has been experiencing.

Dissolved Oxygen (DO)

When reviewing the problem with the effluent DO with operations, along with reviewing the PADEP reports, it appears the primary problem is equipment failure. Even during our site visit, one of the blowers that supply the post aeration basin was out of for repair. PADEP noted in their inspections that the aeration system had either electrical problems or the blowers were out of service.

Biochemical Oxygen Demand (BOD) and Total Suspended Solids (TSS)

When reviewing the problem with biochemical oxygen demand and total suspend solids (TSS) with operations, the violations occur when the plant experienced high flows. This can cause the biomass to carry over and cause the violations. If should be noted that even some of the flow events had the treatment plant site flooded. Reducing I&I will

help eliminate this problem, but reduction in I&I will not help if the plant site experiences flooding.

Recommendations:

1. Due to the high flow, it is recommended to perform a I&I study and correct inflow or infiltration to the plant. Part of this study would determine what rehabilitation of the wastewater collection infrastructure is needed, including replacement of faulty manhole covers, and cracked or deteriorating sanitary sewer pipes that would need to be replaced. This would reduce the potential violations due to excess flow to the plant.

2. Replace the existing tablet disinfection system with a liquid feed system. It is recommended that this system be flow paced to keep up with the swing in flow. Since the plant's discharge has a high limit on chlorine, it is also recommended to install a de-chlorination system to assure the high limit is not exceeded.

3. Install a dedicated blower for the post aeration tank. This should be tied into the header for the sludge tank to use the sludge tank "spare blower" as a backup.

4. Repair and reinstall the comminutor at the head of plant.

5. Operations indicated that the airlift pump at the clarifier was problematic and difficult to adjust. While this is a common problem with airlift pumps, once set, they seem not to have a problem. If this continues to be a problem, operations might look into supplying a submersible pump on a VFD for fine control.

Exhibit 5

Daily Logbook Pages (September 2021 – March 2023)

Date/Day: Location:

9/16/21 cloudy 70° MTR 50388900 TRC 0.32 FEDO 6.69
AM Daily ops Flow 42,000 NH3 9+ FEPH 6.92
Ras line not flowing Decant SHT
Confirmed with Debbie Malloy to haul a load of sludge out. Called biros an
they will be out today around 1pm. Collected sample

9/17/21 cloudy 71° MTR 50424200 TRC 0.24 ATDO 0.24 ATPH 6.67 SV30 64
AM Daily Ops Flow 35,300 NH3 9+ FEDO 7.62 FEPH 7.07
Ras line still not flowing

9/18/21 Sun 72° (TL)
WEEKEND ops MTR 50455100 FEPH 6.98 TRC
Plant walk down O.K. Flow 30,900 FEDO 6.88 NH3 = 9+

9/19/21 Flow 38,500
9/20/21 Sunny 68° MTR 50532100 TRC 0.01 ATDO 0.14 ATPH 6.79 SV30 710
Am Daily Ops Flow 38,500 NH3 9+ FEDO 5.29 FEPH 7.01
Added 3 chlorine pucks to trough & 2 to the feeders Ras line no

9/20/21 cloudy MTR 50570200 TRC 0.29 FEDO 6.63
Am Daily Ops Flow 38,100 NH3 9+ FEPH 7.19
Ras line working. Waste on (99" - 51 ") 11,088
Cleaned clarifier effluent trough and CCT (Grass)
George Link onsite for explanation of needed repairs

9/22/21 cloudy 68° MTR 50593000 TRC 0.38 FEDO 7.06 ATDO 0.18 SV3
Am Daily Ops Flow 22,800 NH3 9+ FEPH 7.20 ATPH 6.83
Waste on (51 - 16") 8085 gallons - Ras line running
Started samplers 1100 - canceled, not needed 8am 9/23/21 (AM)

04/04/2023

Date/Day:_____ Location:_____

9/23/21 rain 69° MTR 50620500 TRC 0.31 FEDO 7.53
AM Daily ops Flow 27,500 NH3 9+ FEPH 7.07
Decant SHT Ras line not flowing again
Met with the electrician to adress pump station issues at #2 & #3 PS.

9/24/21 AM Stopped back in for plant check at 1045. System was pushing solids. Aired down the plant & Started the sampler

9/24/21 sunny 60° MTR 50774500 TRC 0.01 ATDO 0.08 ATPH 6.50 ATSV30 370
AM Daily Ops Flow 154,000 NH3 9+ FEDO 5.57 FEPH 6.72 NO RAS Line
Aired up the plant. Collected sample. Added 5 chlorine packs (3 trough, 2 feeders)

9/25/21 sunny 49°
weekend ops JJO
TOT-50824600
FLOW 50,100
TRC - 0.43
NH3 - 9+
FE DO - 6.52
FE PH - 7.37

9/26/21 Flow 51,200

9/27/21 sunny 68° MTR 50927000 TRC 0.27 ATDO 0.25 ATPH 6.66 ATSV30
AM Daily Ops Flow 51,200 NH3 9+ FEDO 7.59 FEPH 7.24
Waste on (80" - 65") = 3465 gallons

9/28/21 rain 60° MTR 50960300 TRC 0.18 FEDO 6.07
AM Daily Ops Flow 33,300 NH3 9+ FEPH 7.05
Waste on (65" - 9") = 12,936 gallons Cleaned scum trough

9/29/21 Sunny 55° MTR 5100 1400 TRC 0.03 AT DO 0.56 ATPH 6.55 ATSV30 52
AM Daily Ops Flow 41,100 NH3 1.0 FEDO 7.44 FEPH 7.02
Added 5 chlorine packs (3 trough, 2 feeders)
Ras line not working today

99

Date/Day: _____ Location: _____

04/04/2023

8/2/22 MTR 64065200 Flow 26700 PH 6.76 DO 7.47 NH_3 0.3
Tues ATPH 6.11 TRC 0.22 Daily Ops
RAS return not working
Start samplers (Eff 10:45, Inf 10:50)
Add one CCH tabs to effluent trough

8/3/22 MTR 64032000 Flow 26800 PH 6.54 DO 8.05 NH_3 0
Wed. TRC 0.14 ATPH 6.00 SV 730 Daily Ops
RAS return not working
Collect sampler (Inf 11:20, Eff 11:25)
Add 2 CCH tabs to effluent trough A.K

8/4/22 MTR 64052400 Flow 25400 PH 6.67 DO 8.20 NH_3 0.4
Thurs TRC 0.25 ATPH 6.01 ATDO 8.20 Daily Ops
Waste 2772 gals
Clean clarifier
Add 2 CCH tabs to effluent trough A.K

8/5/22 MTR 64083300 Flow 25900 PH 6.67 DO 7.58 NH_3 0
Fri. TRC 0.33 ATPH 6.06 SV 800 Daily Ops
RAS return not working
Cleaned effluent trough
2:45pm Blower off / start sampler

8/6/22 MTR 64184500 Flow 101200 PH 6.67 DO 5.36 NH_3
TRC 0.15 Daily Ops
Collect sample @ 1:35
RAS return not working
Add 4 CCH tabs to effluent trough A.K

04/04/2023

Date/Day: _____ Location: _____

8/8/22 MTR 64270200 Flow 85700 Ph 6.85 DO 8.15 NH_3 0.4
Mon TRC 0.10 ATPh 6.39 SV 590 Daily Ops
Add 2 CCH tabs to effluent trough
RAS return not working

8/9/22 MTR 64301000 Flow 30800 Ph 6.84 DO 6.64 NH_3 0.5
Tues TRC 0.43 ATPh 6.26 Daily Ops
RAS return not working
Start samplers (Eff 11:20, Inf 11:25)
Add one CCH tab to effluent trough

8/10/22 MTR 64333200 Flow 32200 Ph 6.82 DO 7.62 NH_3 0.4
Wed TRC 0.12 ATPh 6.24 SV 550 Daily Ops
RAS return not working
Collect samples (Eff 11:25, Inf 11:30am)
Add 2 CCH tabs to effluent trough

8/11/22 MTR 64362600 Flow 29400 Ph 6.64 DO 7.16 NH_3 0.2
Thurs TRC 0.47 ATPh 6.14 Daily Ops
RAS return not working
Add one CCH tab to effluent trough
Clean clarifier
Checked pump stations

8/12/22 MTR 64391300 Flow 28700 Ph 6.76 DO 8.13 N
Fri TRC 0.24 ATPh 6.18 ATDO 1.39 SV 530 Daily
RAS return not working
Add 2 CCH tabs to effluent trough

04/04/2023

Date/Day: _____ Location: _____

10/29/22 MTR 67723000 Flow 45800 Ph 6.41 DO 8.10 NH_3 0.2
Sat TRC 0.24 Weekend Ops
Add 25 lbs of soda ash to AT
Add 3 CCH tabs to effluent trough 2.4

10/31/22 MTR 67810700 Flow 87700 Ph 6.77 DO 8.28 NH_3 0.3
Mon TRC 0.04 ATPh 6.24 ATDO 0.47 Daily Ops SV 800
Decant SNT
Add 2 CCH tabs to effluent trough 2.4

11/1/22 MTR 67851100 Flow 40300 Ph 6.69 DO 8.84 NH_3 0.3
Tues TRC 0.28 ATPh 6.06 Daily Ops
Start samplers (Eff 10:55, Inf. 11:00)
Waste 162 gals
Add 2 CCH tabs to effluent trough

11/2/22 MTR 67896500 Flow 45500 Ph 6.71 DO 9.00 NH_3 0.2
Wed TRC 0.28 ATPh 6.11 Daily Ops SV 690
RAS return not working
Collect samples (Eff 11:40, Inf 11:45)
Add 2 CCH tabs to effluent trough 2.

11/3/22 MTR 67939300 Flow 42800 Ph 6.44 DO 9.43 NH_3 0.2
Thurs TRC 0.27 ATPh 5.90 Daily Ops
RAS return not working
Checked pump stations #1 P2 offline (A one pulled f
#3 P2 offline (possibly blocked
waiting for A
Add 25 lbs of soda ash to AT
Add 2 CCH tabs to effluent trough

Date/Day: _____ Location: _____

04/04/2023

MTR 68100700 Flow 37800 DO 9.10 NH_3 0.1 Ph 6.77
TRC 0.12 ATPh 6.22 ATDO 0.58 SV 790 Daily Ops
Add one CCH tab to effluent trough
Waste 1382 gals
Hosed down clarifier
LH

4/02 clarity 61° TRC - 0.09 Added 2 chlorine tabs to
Landed op JO NH3 - 0.1 effluent TRough
TI 68019600 FEDO - 6.62
FV - 37,500 FEPH - 6.50

MTR 68103900 Flow 89300 Ph 6.57 DO 6.18 NH_3 0.3
TRC 0.10 ATPh 6.16 SV 590 Daily Ops
RAS return not working
Add 2 CCH tabs to effluent trough
Checked pump stations
LH

MTR 68142400 Flow 38500 Ph 6.62 DO 5.42 NH_3 6.0
TRC 0.53 ATPh 6.56 Daily Ops
RAS return not working
Start samplers @ 11:15 am
Add one CCH tab to effluent trough
Reset aeration blower #2 (?) (breaker tripped) LH

MTR 68182200 Flow 39800 Ph 6.81 DO 8.17 NH_3 3.0
TRC 0.12 ATPh 6.30 Daily Ops
RAS return not working
Collect samples (Eff 11:45, Inf 10:50)
Add 2 CCH tabs to effluent trough LH

04/04/2023

Date/Day: _____ Location: _____

12/17/22 32° Sunny TRC 0.25 Add 3 chlorine tabs to effluent
Weekend ops JD NH3 - 3.0 through, Turned blower number 2
Tot - 70131400 FEDO - 6.09 to Auto. Collected sample
Flow - 76,800 FEPH - 6.69

cal. meters

12-19-22 Clear - Cold
Daily ops
EQT - @ normal level, air lift working normally in E
*RAS return ticking but nowhere near normal
Left extra belt for E.Q blower
Chemicals not delivered yet, still have scalewash + tablets
T-70358400 Out-127,300 pH - 6.41 DO - 6.41 Rec - .01

12-20-22 Clear - Cold cal. meters
Daily ops
E.Q.T. @ normal level.
RAS not working
* A-one was here yesterday and replaced more diffusers. Looks like all are back in A.T.
* Chemicals scheduled for delivery today

12-21-22 Clear - Cold cal. meters
Daily ops
E.Q.T. @ normal level, *RAS not running
Added 1 bag SA to A.T., added 4 Cl2 tabs
T- 703606 Out - 42,000 pH - 6.26 DO - 7.07 Cl2 -

Date/Day: Rain/Snow Location:

Cal-rated
NH_3=0.2

12-22-22 Daily ops
EQ @ normal level, looks dark in color
No waste RAS not running
Turned air off due to rain, started sampler @ 1500
T 704183 Cond 577.00 pH-6.36 DO-6.19 TRC .09

Rain Cal-rated

12-23-22 Daily ops
✓ equipment OK
* Blower still off, discharge at 150 gpm. Still high
flows coming into plant
Added 4 Cl_2 tabs (2 in trough, 2 in survival box)
T 705280 Cond 104.700 pH-6.90 DO-6.01 TRC 0.01

12/24/22 MTR 70734500 Flow 206500 Ph 6.97 DO 6.26 NH_3 3.0+
Sat TRC 0.02 Weekend Ops
Collect sample @ 2:30
Add 5 CCH tabs to effluent trough
Aeration back on @ 2:15 pm JH

12/26/22 MTR 70871900 Flow 137400 Ph 6.51 DO 8.26 NH_3 3.0+
Mon TRC 0.01 Daily Ops
RAS return not working
Add 3 CCH tabs to effluent trough JH

04/04/2023

Date/Day: Location:

3-1-23 Clear • Cold cal. meters
NH_3 = 0.2
Daily ops
✓ equipment
Added 4 Cl_2 tabs to scavril box
T-74125300 Gal-48,200 pH-6.74 D.O.-8.06

3-2-23 light rain cal. meters
NH_3 = 0.2
Daily ops
* RAS line not running at all
✓ equipment
T-74165500 Gal-40,200 pH-6.55 DO-7.28 TRC .49

3-3-23 Cloudy cal. meters
NH_3 = 0.2
Daily ops
✓ equipment ok
RAS not running
T-74205200 Gal-40,200 pH-6.50 D.O.-7.49 TRC .44

3-4-23 light rain cal. meters
Daily ops
E.Q.T. @ normal level
Added 2 Cl_2 tabs to scavril box
Turned off air @ 0730 and started effluent sampler
T-74285700 Gal-80,400 pH-6.18 D.O.-7.07 TRC-.07

3/5/23 Sun
3/6/23 Mon
3/7/23 Tues
3/8/23 Wed
3/9 Thu

04/04/2023

Date/Day:_____ Location:_____

3/6/23 NTR 74384100 Flow 98400 Weekend Ops
Sat Blowers back on at 1:35 pm
Collect sample @ 1:40 pm LH

3/6/23 NTR 74437200 Flow 53100 Ph 6.47 DO 9.22 NH_3 5.7
Mon TRC 0.39 ATPh 6.14 SV 460 Daily Ops
Waste 3234 gals
Add 2 Cl_2 tabs to effluent trough
Checked pump stations LH

3/7/23 NTR 74482000 Flow 44800 Ph 6.19 DO 7.59 NH_3 0.3
Tue TRC 0.20 Daily Ops
Start samplers @ 10:45
Add 2 Cl_2 tabs to sanuril box
Add one Cl_2 tab to effluent trough
Add 50 lbs of soda ash to AT
Took blower #1 offline (bad oil leak)
Blower #2 in hand (~~not~~ alternator isn't working right) LH

3/8/23 NTR 74529800 Flow 47800 Ph 6.57 DO 10.03 NH_3 0.2 TRC 0.19
Wed ATPh 6.29 SV 490 Daily Ops
Waste 1848 gals
Collect samples (Eff 11:20, Inf 11:30)
Add one Cl_2 tab to effluent trough
Add 2 Cl_2 tabs to sanuril box LH

3/9/23 NTR 74580200 Flow 50400 Ph 6.62 DO 10.10 NH_3 0.2
Thurs TRC 0.21 Daily Ops
Add 50 lbs of soda ash to AT
Add 2 Cl_2 tabs to effluent trough LH

04/04/2023

Location:

3/10/23 NTR 74623700 Flow 63200 Ph 6.48 DO 8.32 NH_3 0.2
Fri TRC 0.31 ATPh 6.27 SV 470 Daily Ops
Blower #2 back on timer (1 on / 1 off)
Add 2 Cl_2 tabs to sanitril box 2+

3/11/23 NTR 74780900 Flow 57000 Ph 6.44 DO 8.87 NH_3 3.0
Sat TRC 0.42 Weekend Ops
RAS return not working
Adjust timer so blower #2 is 1 on / 1 off 2+

3/13/23 NTR 74978000 Flow 99900 Ph 6.19 DO 9.17 NH_3 0.4
Mon TRC 0.37 ATPh 6.01 SV 370 Daily Ops
RAS return not working
Add 50 lbs of soda ash to AT
Check pump stations 2+

3/14/23 NTR 74825500 Flow 44700 Ph 6.52 DO 6.49 NH_3 0.2 TRC 0.2
Tues Daily Ops
Start samplers (10:30 am)
RAS return not working
Add 2 Cl_2 tabs to effluent trough
Add 2 Cl_2 tabs to sanitril box 2+

3/15/23 NTR 74872000 Flow 46500 Ph 6.43 DO 10.29 NH_3 0.3
Wed TRC 0.29 ATPh 6.21 SV 360 Daily Ops
Collect samples (EH 11:35, Inf 11:45 am) 2+

3/16/23 NTR 74921100 Flow 49100 Ph 6.28 DO 9.97 NH_3 0.3
Thurs TRC 0.23 Daily Ops
Add 50 lbs of soda ash to AT 2+

04/04/2023

Date/Day: ______________ Location: ______________

3/17/23 MTR 74961200 Flow 40100 Ph 6.65 DO 7.93 NH_3 0.3 TRC 0.26
Fri Daily Ops
RAS return not working
Add 2 Cl_2 tabs to sanuril box
Add one Cl_2 tab to effluent trough 2.4

Clear Chlorinators

3-18-23
Checked ops
T-75027000 Gal- 41,500 pH- 6-79 DO- 7.44 TRC .20
SnS

3/20/23 MTR 75084000 Flow 81300 Ph 6.32 DO 5.85 NH_3 0.0 TRC 0.22
Mon ATPh 6.14 Daily Ops 2.4
Checked pump stations

3/21/23 MTR 75118800 Flow 34800 Ph 6.24 DO 5.46 NH_3 0.1 TRC 0.19
Tues Daily Ops
Add 50 lbs of soda ash to AT
Add 2 Cl_2 tabs to sanuril box
Add 2 Cl_2 tabs to effluent trough 2.4

3/22/23 MTR 75157400 Flow 38600 Ph 6.71 DO 8.56 NH_3 0.2
Wed TRC 0.28 ATPh 6.50 SV 500 Daily Ops
2.4
Waste 924 gals

3/23/23 MTR 75198000 Flow 40600 Ph 6.63 DO 8.00 NH_3 0.1
Thurs TRC 0.23 Daily Ops
RAS return not working
Changed oil (EQ + blower #2) 2.4

04/04/2023

Location:

3/24/23 MTR 75236900 Flow 38900 Ph 6.45 DO 7.78 NH_3 0.2
Fri TRC 0.26 ATPh 6.96 SV 390 Daily Ops
Add 2 Cl_2 tabs to sanitol box
Add 2 Cl_2 tabs to effluent trough
Cleaned clarifier
RAS return not working JA

3/25/23 MTR 75281900 Flow 45000 Ph 6.50 DO 5.05 NH_3 0.2
Sat TRC 0.29 Weekend Ops

3/27/23 MTR 75362800 Flow 80900 Ph 6.29 DO 5.61 NH_3 0.1
Mon TRC 0.19 Daily Ops
Add 2 Cl_2 tabs to sanitol box
Add 2 Cl_2 tabs to effluent trough
Checked pump stations JA

3/28/23 MTR 75397400 Flow 34600 Ph 6.36 DO 7.44 NH_3 0.1
Tues TRC 0.39 Daily Ops JA

3/29/23 MTR 75435200 Flow 37800 Ph 6.16 DO 6.79 NH_3 0.1
Wed TRC 0.29 Daily Ops
RAS return not working
Add 50 lbs of soda ash to AT JA

3/30/23 MTR 75473500 Flow 38300 Ph 6.67 DO 6.27 ~~AT~~ NH_3 0.1
Thurs TRC 0.18 Daily Ops
Add 2 Cl_2 tabs to sanitol box
Add 2 Cl_2 tabs to effluent trough
Received soda ash + Cl_2 tabs JA

04/04/2023

Date/Day:_____ Location:_____

3/3/23 RTR 75511800 Flow 38300 PH 6.51 DO 7.19 NH_3 0.1 TRC 0.29
Fri ATPH 6.2C SV 380 Daily Ops
Waste 1155 gals
Add 2 Cl_2 tabs to sanitril box JA
Aired down SHT

4/1/23 Raining 51° TRC - 0.50 Added 1 bag of soda ash
weekend ops JO NH_3 - 0.1 to the HT
TOT - 75543400 FCDO - 6.65
Flow - 31,600 FEPH - 6.37

4/2/23 RTR 75636300 Flow 92900 PH 6.57 DO 6.40 NH_3 0.2 TRC 0.19
Sun Daily Ops
RAS return not working
Add 2 Cl_2 tabs to sanitril box
Add one Cl_2 tab to effluent trough JA

4/4/23 RTR 75664800 Flow 28500 PH 6.63 DO 9.46 NH_3 2.5 TRC 0.54
Tues Daily Ops
RAS return not working
EPA inspection
Start samplers @ 8:40 am

Exhibit 6

WWTP SOP Manual

M&B ENVIRONMENTAL, INC.

744 Harleysville Pike
Harleysville, PA 19438

Phone: 215-256-0042
Fax: 215-256-0049

04/04/2023

Gilberton Borough WWTP

STANDARD OPERATING PROCEDURE

DAILY:

Perform a complete site inspection to visually and audibly to verify all equipment is operational and no abnormal conditions exist. A plant walk through should be done daily from the headworks through each stage of treatment to final effluent in chlorine contact tank. Note any issues.

EQ pumps are currently offline and EQ tank is gravity feeding to AT.

Record Totalizer and perform calculation to obtain the gallons of flow from previous day.

Calibrate testing meters with new buffers, and enter data in calibration log.

Perform pH testing on aeration tank and final effluent. Add soda ash to adjust pH. **(Soda ash is added directly into each aeration tank as needed)**
A target pH around 6.5 in each aeration tank is ideal.

Perform pH and D.O. testing on aeration tank. Collect an SV30 from aeration tank and perform 30 minute settleability test. (3x per week)

Perform effluent testing. Permit requires pH, DO, and TRC testing.

Record all resulting data on the monthly benchsheet.

Wash down scum baffles and net out debris. Check for proper operation of clarifier skimmers and RAS lines.

Add Chlorine tablets to sanuril box as needed.

Waste sludge as necessary. Maintain 300-400 SV-30 in summer, 400-500 SV-30 in Winter. Sludge is wasted into the sludge holding tanks. Sludge tanks are to be aired down to settle and decant on an as needed basis, as tanks get full.
RAS line operation has been an ongoing issue. It may not be returning.

Exhibit 7

Handwritten Operational Data Sheets (March 2023)

MAE ENVIRONMENTAL, INC.

MONTH March 2023

GILBERTON WWTP

OPERATOR SIGNATURE

OPER.	TIME	DATE	METER READING	TOTAL FLOW (gpd)	PRECIP	TRC	NH3	D.O. AT	D.O. FINAL EFF	Ph AT	Ph FINAL EFF	SLUDGE WASTE GALS.	SLUDGE HAULED GAL	SV-30 AT	SODA ASH ADDED	
PREVIOUS READING:			74077 00	DATE OF READING:		2-28-23										
SS	0945	1	74125300	40,200		0.21	0.2	—	8.06	6.55	6.79	—	0	—	0	4
SS	0730	2	74165500	40,200		0.49	0.2	1.21	7.28	6.30	6.55	—	0	550	0	
SS	0705	3	74205700	80,000		0.44	0.2	—	7.49	—	6.50	—	0	—	0	
SS	0700	4	74285700	98400		0.87	0.2	—	7.07	—	6.18	—	0	—	0	3
L.H	1:35	5	74384100	53100		—	—	—	—	—	—	—	—	—	—	
L.H	12:40	6	74437200	44800		0.39	5.7	—	9.22	6.14	6.44	3234	—	460	—	2
L.H	10:50	7	74482000	47800		0.20	0.3	—	7.59	—	6.19	—	—	—	50	3
L.H	11:00	8	74529800	50400		0.19	0.2	—	10.03	6.29	6.57	1848	—	490	—	3
L.H	1:40	9	74580200	63700		0.21	0.2	—	10.10	—	6.06	—	—	—	50	2
L.H	12:30	10	74623900	57000		0.31	0.2	—	8.32	6.27	6.48	—	—	470	—	2
L.H	1:05	11	74680900			0.46	3.0	—	8.87	—	6.44	—	—	—	—	—
L.H	1	12	0	99900												
L.H	12:10	13	74780800	44700		0.37	0.4	—	9.17	6.01	6.19	—	—	370	50	—
L.H	10:30	14	74825500	46500		0.28	0.2	—	6.49	—	6.52	—	—	—	—	4
L.H	11:15	15	74872000	49100		0.29	0.3	—	10.29	6.21	6.43	—	—	360	—	
L.H	2:40	16	74921100	40100		0.23	0.3	—	9.97	—	6.28	—	—	—	50	
L.H	12:55	17	74961200	41300		0.26	0.3	—	7.93	—	6.65	—	—	—	—	3
L.H	1200	18	75002700			0.20	0.4	—	7.99	—	6.79	—	—	—	—	
		19		81300												
L.H	12:30	20	75084000	34800		0.22	0	—	5.85	6.14	6.32	—	—	—	—	
L.H	10:45	21	75118800	38600		0.19	0.1	—	5.16	—	6.24	—	—	—	50	4
L.H	11:00	22	75157400	46600		0.28	0.2	—	8.56	6.50	6.71	924	—	500	—	
L.H	11:25	23	75198000	38900		0.23	0.1	—	8.00	—	6.63	—	—	—	—	4 2 4
L.H	10:55	24	75236900	45000		0.24	0.2	—	7.78	6.46	6.65	—	—	390	—	4
L.H	2:00	25	75281900			0.29	0.2	—	5.05	—	6.50	—	—	—	—	
		26		80900												
L.H	12:10	27	75362800	34600		0.19	0.1	—	5.61	—	6.29	—	—	—	—	4
L.H	10:00	28	75397400	37800		0.39	0.1	—	7.44	—	6.36	—	—	—	—	
L.H	12:40	29	75435200	38300		0.29	0.1	—	6.79	—	6.16	—	—	—	50	
L.H	11:45	30	75473500	38300		0.18	0.1	—	6.67	—	6.67	—	—	—	—	4
L.H	12:25	31	75511800	31600		0.29	0.1	—	7.19	6.26	6.51	1155	—	380	—	2

NEXT READING: 75543400 DATE OF READING:

04/04/2023

04/04/2023

MSI ENVIRONMENTAL INC

GILBERTON WWTP

MONTH April 2023

OPERATOR SIGNATURE _____

OPER.	TIME	DATE	METER READING	TOTAL FLOW (gpd)	PRECIP	TRC	NH3	D.O. AT	D.O. FINAL EFF	Ph AT	Ph FINAL EFF	SLUDGE WASTE GALS.	SLUDGE HAULED GAL	SV-30 AT	SODA ASH ADDED	
PREVIOUS READING: 75511800				DATE OF READING: 3/3/23												
JO	8:23	1	7554 34	~~31600~~ 92900	.3	0.50	0.1	–	6.65	–	6.37	–	–	–	50	
		2														
~~JO~~	3:10	3	75636300	28500		0.19	0.2	–	6.40	–	6.57	–	–	–	–	3
~~JO~~	5:39	4	75667800			0.54	2.5	–	9.46	–	6.63	–	–	–	–	
		5														
		6														
		7														
		8														
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		22														
		23														

chlorine Tabs

Appendix C

NPDES Permit No. PA0063592

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF CLEAN WATER

pennsylvania
DEPARTMENT OF ENVIRONMENTAL PROTECTION

AUTHORIZATION TO DISCHARGE UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM DISCHARGE REQUIREMENTS FOR PUBLICLY OWNED TREATMENT WORKS (POTWs)

NPDES PERMIT NO: PA0063592

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

Gilberton Borough
2710 Main Street
Mahanoy Plane, PA 17949

is authorized to discharge from a facility known as **Gilberton Borough WWTP**, located in **Gilberton Borough, Schuylkill County**, to **Mahanoy Creek** in Watershed **06B** in accordance with effluent limitations, monitoring requirements and other conditions set forth in Parts A, B and C hereof.

THIS PERMIT SHALL BECOME EFFECTIVE ON **August 1, 2018**

THIS PERMIT SHALL EXPIRE AT MIDNIGHT ON **July 31, 2023**

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

1. If there is a conflict between the application, its supporting documents and/or amendments and the terms and conditions of this permit, the terms and conditions shall apply.

2. Failure to comply with the terms, conditions or effluent limitations of this permit is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application. (40 CFR 122.41(a))

3. A complete application for renewal of this permit, or notice of intent to cease discharging by the expiration date, must be submitted to DEP at least 180 days prior to the above expiration date (unless permission has been granted by DEP for submission at a later date), using the appropriate NPDES permit application form. (40 CFR 122.41(b), 122.21(d))

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

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

DATE PERMIT ISSUED July 20, 2018 **ISSUED BY** /s/

Bharat Patel, P.E.
Environmental Program Manager
Clean Water Program
Northeast Regional Office

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

I. A. For Outfall 001 **, Latitude** 40º 47' 34" **, Longitude** 76º 14' 51" **, River Mile Index** _____ **, Stream Code** _____

Receiving Waters: Mahanoy Creek

Type of Effluent: Municipal sewage

1. The permittee is authorized to discharge during the period from **August 1, 2018** through **July 31, 2019**.

2. Based on the anticipated wastewater characteristics and flows described in the permit application and its supporting documents and/or amendments, the following effluent limitations and monitoring requirements apply (see also Additional Requirements and Footnotes).

Parameter	Effluent Limitations						Monitoring Requirements	
	Mass Units (lbs/day) (1)		Concentrations (mg/L)				Minimum (2) Measurement Frequency	Required Sample Type
	Average Monthly	Average Weekly	Minimum	Average Monthly	Average Weekly	Instant. Maximum		
Total Residual Chlorine (TRC)	XXX	XXX	XXX	1.0	XXX	2.0	5/week *	Grab

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

at Outfall 001

*** Note:** The 5/week Minimum Measurement Frequency shall include sampling conducted on at least 1 weekend day.

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

I. B. For Outfall 001 **, Latitude** 40º 47' 34" **, Longitude** 76º 14' 51" **, River Mile Index** _____ **, Stream Code** _____

Receiving Waters: Mahanoy Creek

Type of Effluent: Municipal sewage

1. The permittee is authorized to discharge during the period from **August 1, 2019** through **July 31, 2023**.

2. Based on the anticipated wastewater characteristics and flows described in the permit application and its supporting documents and/or amendments, the following effluent limitations and monitoring requirements apply (see also Additional Requirements and Footnotes).

Parameter	Effluent Limitations						Monitoring Requirements	
	Mass Units (lbs/day) (1)		Concentrations (mg/L)				Minimum (2) Measurement Frequency	Required Sample Type
	Average Monthly	Average Weekly	Minimum	Average Monthly	Average Weekly	Instant. Maximum		
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6	5/week *	Grab

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

at Outfall 001

*** Note:** The 5/week Minimum Measurement Frequency shall include sampling conducted on at least 1 weekend day.

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

I. C. For Outfall 001 **, Latitude** 40º 47' 34" **, Longitude** 76º 14' 51" **, River Mile Index** _____ **, Stream Code** _____

Receiving Waters: Mahanoy Creek

Type of Effluent: Municipal sewage

1. The permittee is authorized to discharge during the period from **August 1, 2018** through **July 31, 2023**.

2. Based on the anticipated wastewater characteristics and flows described in the permit application and its supporting documents and/or amendments, the following effluent limitations and monitoring requirements apply (see also Additional Requirements and Footnotes).

Parameter	Effluent Limitations						Monitoring Requirements	
	Mass Units (lbs/day) (1)		Concentrations (mg/L)				Minimum (2) Measurement Frequency	Required Sample Type
	Average Monthly	Weekly Average	Minimum	Average Monthly	Weekly Average	Instant. Maximum		
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX	Continuous	Recorded
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0	5/week *	Grab
Dissolved Oxygen	XXX	XXX	5.0 Daily Min	XXX	XXX	XXX	5/week *	Grab
Carbonaceous Biochemical Oxygen Demand (CBOD5)	20.8	33.4	XXX	25.0	40.0	50.0	2/month	8-Hr Composite
Biochemical Oxygen Demand (BOD5) Raw Sewage Influent	Report	Report	XXX	Report	Report	XXX	2/month	8-Hr Composite
Total Suspended Solids	25.0	37.5	XXX	30.0	45.0	60.0	2/month	8-Hr Composite
Total Suspended Solids Raw Sewage Influent	Report	Report	XXX	Report	Report	XXX	2/month	8-Hr Composite
Fecal Coliform (No./100 ml) Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000	2/month	Grab
Fecal Coliform (No./100 ml) May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000	2/month	Grab
Nitrate-Nitrite as N (lbs/year)	Report Annl Avg	XXX	XXX	Report Annl Avg	XXX	XXX	1/year	8-Hr Composite

Permit No. PA0063592

Outfall 001, Continued (from August 1, 2018 through July 31, 2023)

Parameter	Effluent Limitations						Monitoring Requirements	
	Mass Units (lbs/day) (1)		Concentrations (mg/L)				Minimum (2) Measurement Frequency	Required Sample Type
	Average Monthly	Weekly Average	Minimum	Average Monthly	Weekly Average	Instant. Maximum		
Total Nitrogen (lbs/year)	Report Annl Avg	XXX	XXX	Report Annl Avg	XXX	XXX	1/year	Calculation
Ammonia-Nitrogen	20.8	33.4	XXX	25.0	40.0	50.0	2/month	8-Hr Composite
Total Kjeldahl Nitrogen (lbs/year)	Report Annl Avg	XXX	XXX	Report Annl Avg	XXX	XXX	1/year	8-Hr Composite
Total Phosphorus (lbs/year)	Report Annl Avg	XXX	XXX	Report Annl Avg	XXX	XXX	1/year	8-Hr Composite

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

at Outfall 001

*** Note:** The 5/week Minimum Measurement Frequency shall include sampling conducted on at least 1 weekend day.

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

Additional Requirements

1. The permittee may not discharge:

   a. Floating solids, scum, sheen or substances that result in observed deposits in the receiving water. (25 Pa Code § 92a.41(c))

   b. Oil and grease in amounts that cause a film or sheen upon or discoloration of the waters of this Commonwealth or adjoining shoreline, or that exceed 15 mg/l as a daily average or 30 mg/l at any time (or lesser amounts if specified in this permit). (25 Pa. Code § 92a.47(a)(7), § 95.2(2))

   c. Substances in concentration or amounts sufficient to be inimical or harmful to the water uses to be protected or to human, animal, plant or aquatic life. (25 Pa Code § 93.6(a))

   d. Foam or substances that produce an observed change in the color, taste, odor or turbidity of the receiving water, unless those conditions are otherwise controlled through effluent limitations or other requirements in this permit. For the purpose of determining compliance with this condition, DEP will compare conditions in the receiving water upstream of the discharge to conditions in the receiving water approximately 100 feet downstream of the discharge to determine if there is an observable change in the receiving water. (25 Pa Code § 92a.41(c))

2. The monthly average percent removal of BOD_5 or $CBOD_5$ and TSS must be at least 85% for POTW facilities on a concentration basis except where 25 Pa. Code 92a.47(g) and (h) are applicable to facilities with combined sewer overflows (CSOs) or as otherwise specified in this permit. (25 Pa. Code § 92a.47(a)(3))

3. If the permit requires the reporting of average weekly statistical results, the maximum weekly average concentration and maximum weekly average mass loading shall be reported, regardless of whether the results are obtained for the same or different weeks.

4. The permittee shall monitor the sewage effluent discharge(s) for the effluent parameters identified in the Part A limitations table(s) during all bypass events at the facility, using the sample types that are specified in the limitations table(s). Where the required sample type is “composite”, the permittee must commence sample collection within one hour of the start of the bypass, wherever possible. The results shall be reported on the Daily Effluent Monitoring supplemental form (3800-FM-BCW0435) and be incorporated into the calculations used to report self-monitoring data on Discharge Monitoring Reports (DMRs).

Footnotes

(1) When sampling to determine compliance with mass effluent limitations, the discharge flow at the time of sampling must be measured and recorded.

(2) This is the minimum number of sampling events required. Permittees are encouraged, and it may be advantageous in demonstrating compliance, to perform more than the minimum number of sampling events.

Supplemental Information

(1) The hydraulic design capacity of 0.100 million gallons per day for the treatment facility is used to prepare the annual Municipal Wasteload Management Report to help determine whether a "hydraulic overload" situation exists, as defined in Title 25 Pa. Code Chapter 94.

(2) The effluent limitations for Outfall 001 were determined using an effluent discharge rate of 0.100 MGD.

(3) The organic design capacity of 200 lbs BOD_5 per day for the treatment facility is used to prepare the annual Municipal Wasteload Management Report to determine whether an “organic overload” condition exists, as defined in 25 Pa. Code Chapter 94.

(4) Total Nitrogen is the sum of Total Kjeldahl-N (TKN) plus Nitrite-Nitrate as N (NO_2+NO_3-N), where TKN and NO_2+NO_3-N are measured in the same sample.

II. DEFINITIONS

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

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

Best Management Practices (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures and other management practices to prevent or reduce the pollutant loading to surface waters of the Commonwealth. The term also includes treatment requirements, operating procedures and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. The term includes activities, facilities, measures, planning or procedures used to minimize accelerated erosion and sedimentation and manage stormwater to protect, maintain, reclaim, and restore the quality of waters and the existing and designated uses of waters within this Commonwealth before, during and after earth disturbance activities. (25 Pa. Code § 92a.2)

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

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

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

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

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

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

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

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

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

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

Geometric Mean means the average of a set of n sample results given by the n^{th} root of their product.

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

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

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

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

Indirect Discharger means a non-domestic discharger introducing pollutants to a Publicly Owned Treatment Works (POTW) or other treatment works. (25 Pa. Code § 92a.2, 40 CFR 122.2)

Industrial User means a source of Indirect Discharge. (40 CFR 403.3)

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

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

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

Municipality means a city, town, borough, county, township, school district, institution, authority or other public body created by or pursuant to State law and having jurisdiction over disposal of sewage, industrial wastes, or other wastes. (25 Pa. Code § 92a.2)

Municipal Waste means garbage, refuse, industrial lunchroom or office waste and other material, including solid, liquid, semisolid or contained gaseous material resulting from operation of residential, municipal, commercial or institutional establishments and from community activities; and sludge not meeting the definition of residual or hazardous waste under this section from a municipal, commercial or institutional water supply treatment plant, waste water treatment plant or air pollution control facility. (25 Pa. Code § 271.1)

Publicly Owned Treatment Works (POTW) means a treatment works as defined by §212 of the Clean Water Act, owned by a state or municipality. The term includes any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage or industrial wastes of a liquid nature. The term also includes sewers, pipes or other conveyances if they convey wastewater to a POTW providing treatment. The term also means the municipality as defined in section 502(4) of the Clean Water Act, which has jurisdiction over the indirect discharges to and the discharges from such a treatment works. (25 Pa Code § 92a.2, 40 CFR 122.2)

Residual Waste means garbage, refuse, other discarded material or other waste, including solid, liquid, semisolid or contained gaseous materials resulting from industrial, mining and agricultural operations and sludge from an industrial, mining or agricultural water supply treatment facility, wastewater treatment facility or air pollution control facility, if it is not hazardous. The term does not include coal refuse as defined in the Coal Refuse Disposal Control Act. The term does not include treatment sludges from coal mine drainage treatment plants, disposal of which is being carried on under and in compliance with a valid permit issued under the Clean Streams Law. (25 Pa Code § 287.1)

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

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

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

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

Weekly Average Discharge Limitation means the highest allowable average of "daily discharges" over a calendar week, calculated as the sum of all "daily discharges" measured during a calendar week divided by the number of "daily discharges" measured during that week.

III. SELF-MONITORING, REPORTING AND RECORDKEEPING

A. Representative Sampling

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

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

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

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

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

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

4. Test Procedures

   a. Facilities that test or analyze environmental samples used to demonstrate compliance with this permit shall be in compliance with laboratory accreditation requirements of Act 90 of 2002 (27 Pa. C.S. §§ 4101-4113) and 25 Pa. Code Chapter 252, relating to environmental laboratory accreditation.

   b. Test procedures (methods) for the analysis of pollutants or pollutant parameters shall be those approved under 40 CFR Part 136 or required under 40 CFR Chapter I, Subchapters N or O, unless the method is specified in this permit or has been otherwise approved in writing by DEP. (40 CFR 122.41(j)(4), 122.44(i)(1)(iv))

   c. Test procedures (methods) for the analysis of pollutants or pollutant parameters shall be sufficiently sensitive. A method is sufficiently sensitive when 1) the method minimum level is at or below the level of the effluent limit established in the permit for the measured pollutant or pollutant parameter; or 2) the method has the lowest minimum level of the analytical methods approved under 40 CFR Part 136 or required under 40 CFR Chapter I, Subchapters N or O, for the measured pollutant or pollutant parameter; or 3) the method is specified in this permit or has been otherwise approved in writing by DEP for the measured pollutant or pollutant parameter. Permittees have the option of providing matrix or sample-specific minimum levels rather than the published levels. (40 CFR 122.44(i)(1)(iv))

5. Quality/Assurance/Control

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

a. The permittee, or its designated laboratory, shall participate in the periodic scheduled quality assurance inspections conducted by DEP and EPA. (40 CFR 122.41(e), 122.41(i)(3))

b. The permittee, or its designated laboratory, shall develop and implement a program to assure the quality and accurateness of the analyses performed to satisfy the requirements of this permit, in accordance with 40 CFR Part 136. (40 CFR 122.41(j)(4))

B. Reporting of Monitoring Results

1. The permittee shall effectively monitor the operation and efficiency of all wastewater treatment and control facilities, and the quantity and quality of the discharge(s) as specified in this permit. (25 Pa. Code §§ 92a.3(c), 92a.41(a), 92a.44, 92a.61(i) and 40 CFR §§ 122.41(e), 122.44(i)(1))

2. The permittee shall use DEP's electronic Discharge Monitoring Report (eDMR) system to report the results of compliance monitoring under this permit (see www.dep.pa.gov/edmr). Permittees that are not using the eDMR system as of the effective date of this permit shall submit the necessary registration and trading partner agreement forms to DEP's Bureau of Clean Water (BCW) within 30 days of the effective date of this permit and begin using the eDMR system when notified by DEP BCW to do so. (25 Pa. Code §§ 92a.3(c), 92a.41(a), 92a.61(g) and 40 CFR § 122.41(l)(4))

3. Submission of a physical (paper) copy of a Discharge Monitoring Report (DMR) is acceptable under the following circumstances:

a. For a permittee that is not yet using the eDMR system, the permittee shall submit a physical copy of a DMR to the DEP regional office that issued the permit during the interim period between the submission of registration and trading partner agreement forms to DEP and DEP's notification to begin using the eDMR system.

b. For any permittee, as a contingency a physical DMR may be mailed to the DEP regional office that issued the permit if there are technological malfunction(s) that prevent the successful submission of a DMR through the eDMR system. In such situations, the permittee shall submit the DMR through the eDMR system within 5 days following remedy of the malfunction(s).

4. DMRs must be completed in accordance with DEP's published DMR instructions (3800-FM-BCW0463). DMRs must be received by DEP no later than 28 days following the end of the monitoring period. DMRs are based on calendar reporting periods and must be received by DEP in accordance with the following schedule:

- Monthly DMRs must be received within 28 days following the end of each calendar month.
- Quarterly DMRs must be received within 28 days following the end of each calendar quarter, i.e., January 28, April 28, July 28, and October 28.
- Semiannual DMRs must be received within 28 days following the end of each calendar semiannual period, i.e., January 28 and July 28.
- Annual DMRs must be received by January 28, unless Part C of this permit requires otherwise.

5. The permittee shall complete all Supplemental Reporting forms (Supplemental DMRs) attached to this permit, or an approved equivalent, and submit the signed, completed forms as attachments to the DMR, through DEP's eDMR system. DEP's Supplemental Laboratory Accreditation Form (3800-FM-BCW0189) must be completed and submitted to DEP with the first DMR following issuance of this permit, and anytime thereafter when changes to laboratories or methods occur. (25 Pa. Code §§ 92a.3(c), 92a.41(a), 92a.61(g) and 40 CFR § 122.41(l)(4))

6. The completed DMR Form shall be signed and certified by either of the following applicable persons, as defined in 25 Pa. Code § 92a.22:

- For a corporation - by a principal executive officer of at least the level of vice president, or an authorized representative, if the representative is responsible for the overall operation of the facility from which the discharge described in the NPDES form originates.
- For a partnership or sole proprietorship - by a general partner or the proprietor, respectively.
- For a municipality, state, federal or other public agency - by a principal executive officer or ranking elected official.

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

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

C. Reporting and Notification Requirements

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

   Notice is required when:

   a. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR 122.29(b). (40 CFR 122.41(l)(1)(i))

   b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are not subject to effluent limitations in this permit. (40 CFR 122.41(l)(1)(ii))

   c. The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan. (40 CFR 122.41(l)(1)(iii))

   d. The planned change may result in noncompliance with permit requirements. (40 CFR 122.41(l)(2))

2. Planned Changes to Waste Stream – Under the authority of 25 Pa. Code § 92a.24(a) and 40 CFR 122.42(b), the permittee shall provide notice to DEP and EPA as soon as possible but no later than 45 days prior to any planned changes in the volume or pollutant concentration of its influent waste stream as a result of indirect discharges or hauled-in wastes, as specified in paragraphs 2.a. and 2.b., below. Notice shall be provided on the “Planned Changes to Waste Stream” Supplemental Report (3800-FM-BCW0482), available on DEP’s website. The permittee shall provide information on the quality and quantity of waste introduced into the POTW, and any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW (40 CFR 122.42(b)(3)). The Report shall be sent via Certified Mail or other means to confirm DEP’s receipt of the notification. DEP will determine if the submission of a new application and receipt of a new or amended permit is required.

   a. Introduction of New Pollutants (25 Pa. Code § 92a.24(a), 40 CFR 122.42(b)(1))

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

(i) Any pollutants that were not detected in the facilities' influent waste stream as reported in the permit application; and have not been approved to be included in the permittee's influent waste stream by DEP in writing.

(ii) Any new introduction of pollutants into the POTW from an indirect discharger which would be subject to Sections 301 or 306 of the Clean Water Act if it were directly discharging those pollutants (40 CFR 122.42(b)(1)).

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

b. Increased Loading of Approved Pollutants (25 Pa. Code § 92a.24(a), 40 CFR 122.42(b)(2))

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

(i) Were detected in the facilities' influent waste stream as reported in the permittee's permit application; or have been previously approved to be included in the permittee's influent waste stream by DEP in writing.

(ii) Have an effluent limitation or monitoring requirement in this permit.

The permittee shall provide notification of the introduction of increased influent loading (lbs/day) of approved pollutants in accordance with paragraph 2 above when (1) the cumulative increase in influent loading (lbs/day) exceeds 20% of the maximum loading reported in the permit application, or a loading previously approved by DEP and/or EPA, or (2) may cause an exceedance in the effluent of Effluent Limitation Guidelines (ELGs) or limitations in Part A of this permit, or (3) may cause interference or pass through at the POTW, or (4) may cause exceedances of the applicable water quality standards in the receiving stream. Unless specified otherwise in this permit, if DEP does not respond to the notification within 30 days of its receipt, the permittee may proceed with the increase in loading. The acceptance of increased loading of approved pollutants may not result in an exceedance of ELGs or effluent limitations, may not result in a hydraulic or organic overload condition as defined in 25 Pa. Code § 94.1, and may not cause exceedances of the applicable water quality standards in the receiving stream.

3. Reporting Requirements for Hauled-In Wastes

a. Receipt of Residual Waste

(i) The permittee shall document the receipt of all hauled-in residual wastes (including but not limited to wastewater from oil and gas wells, food processing waste, and landfill leachate), as defined at 25 Pa. Code § 287.1, that are received for processing at the treatment facility. The permittee shall report hauled-in residual wastes on a monthly basis to DEP on the "Hauled In Residual Wastes" Supplemental Report (3800-FM-BCW0450) as an attachment to the DMR. If no residual wastes were received during a month, submission of the Supplemental Report is not required.

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

(1) The dates that residual wastes were received.

(2) The volume (gallons) of wastes received.

(3) The license plate number of the vehicle transporting the waste to the treatment facility.

(4) The permit number(s) of the well(s) where residual wastes were generated, if applicable.

(5) The name and address of the generator of the residual wastes.

(6) The type of wastewater.

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

(ii) The following conditions apply to the characterization of residual wastes received by the permittee:

(1) If the generator is required to complete a chemical analysis of residual wastes in accordance with 25 Pa. Code § 287.51, the permittee must receive and maintain on file a chemical analysis of the residual wastes it receives. The chemical analysis must conform to the Bureau of Waste Management's Form 26R except as noted in paragraph (2), below. Each load of residual waste received must be covered by a chemical analysis if the generator is required to complete it.

(2) For wastewater generated from hydraulic fracturing operations ("frac wastewater") within the first 30 production days of a well site, the chemical analysis may be a general frac wastewater characterization approved by DEP. Thereafter, the chemical analysis must be waste-specific and be reported on the Form 26R.

b. Receipt of Municipal Waste

(i) The permittee shall document the receipt of all hauled-in municipal wastes (including but not limited to septage and liquid sewage sludge), as defined at 25 Pa. Code § 271.1, that are received for processing at the treatment facility. The permittee shall report hauled-in municipal wastes on a monthly basis to DEP on the "Hauled In Municipal Wastes" Supplemental Report (3800-FM-BCW0437) as an attachment to the DMR. If no municipal wastes were received during a month, submission of the Supplemental Report is not required.

The following information is required by the Supplemental Report:

(1) The dates that municipal wastes were received.

(2) The volume (gallons) of wastes received.

(3) The BOD_5 concentration (mg/l) and load (lbs) for the wastes received.

(4) The location(s) where wastes were disposed of within the treatment facility.

(ii) Sampling and analysis of hauled-in municipal wastes must be completed to characterize the organic strength of the wastes, unless composite sampling of influent wastewater is performed at a location downstream of the point of entry for the wastes. The influent BOD_5 characterization for the treatment facility, as reported in the annual Municipal Wasteload Management Report per 25 Pa. Code Chapter 94, must be representative of the hauled-in municipal wastes received.

4. Unanticipated Noncompliance or Potential Pollution Reporting

   a. Immediate Reporting - The permittee shall immediately report any incident causing or threatening pollution in accordance with the requirements of 25 Pa. Code §§ 91.33 and 92a.41(b).

      (i) If, because of an accident, other activity or incident a toxic substance or another substance which would endanger users downstream from the discharge, or would otherwise result in pollution or create a danger of pollution or would damage property, the permittee shall immediately notify DEP by telephone of the location and nature of the danger. Oral notification to the Department is required as soon as possible, but no later than 4 hours after the permittee becomes aware of the incident causing or threatening pollution.

      (ii) If reasonably possible to do so, the permittee shall immediately notify downstream users of the waters of the Commonwealth to which the substance was discharged. Such notice shall include the location and nature of the danger.

      (iii) The permittee shall immediately take or cause to be taken steps necessary to prevent injury to property and downstream users of the waters from pollution or a danger of pollution and, in addition, within 15 days from the incident, shall remove the residual substances contained thereon or therein from the ground and from the affected waters of this Commonwealth to the extent required by applicable law.

   b. The permittee shall report any noncompliance which may endanger health or the environment in accordance with the requirements of 40 CFR 122.41(l)(6). These requirements include the following obligations:

      (i) 24 Hour Reporting - The permittee shall orally report any noncompliance with this permit which may endanger health or the environment within 24 hours from the time the permittee becomes aware of the circumstances. The following shall be included as information which must be reported within 24 hours under this paragraph (40 CFR 122.41(l)(6)(ii)):

         (1) Any unanticipated bypass which exceeds any effluent limitation in the permit;

         (2) Any upset which exceeds any effluent limitation in the permit; and

         (3) Violation of the maximum daily discharge limitation for any of the pollutants listed in the permit as being subject to the 24-hour reporting requirement.

      (ii) Written Report - A written submission shall also be provided within 5 days of the time the permittee becomes aware of any noncompliance which may endanger health or the environment. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

      (iii) Waiver of Written Report - DEP may waive the written report on a case-by-case basis if the associated oral report has been received within 24 hours from the time the permittee becomes aware of the circumstances which may endanger health or the environment. Unless such a waiver is expressly granted by DEP, the permittee shall submit a written report in accordance with this paragraph. (40 CFR 122.41(l)(6)(iii))

5. Other Noncompliance

   The permittee shall report all instances of noncompliance not reported under paragraph C.4 of this section or specific requirements of compliance schedules, at the time DMRs are submitted, on the Non-Compliance Reporting Form (3800-FM-BCW0440). The reports shall contain the information listed in paragraph C.4.b.(ii) of this section. (40 CFR 122.41(l)(7))

PART B

I. MANAGEMENT REQUIREMENTS

A. Compliance

1. The permittee shall comply with all conditions of this permit. If a compliance schedule has been established in this permit, the permittee shall achieve compliance with the terms and conditions of this permit within the time frames specified in this permit. (40 CFR 122.41(a)(1))

2. The permittee shall submit reports of compliance or noncompliance, or progress reports as applicable, for any interim and final requirements contained in this permit. Such reports shall be submitted no later than 14 days following the applicable schedule date or compliance deadline. (25 Pa. Code § 92a.51(c), 40 CFR 122.47(a)(4))

B. Permit Modification, Termination, or Revocation and Reissuance

1. This permit may be modified, terminated, or revoked and reissued during its term in accordance with 25 Pa. Code § 92a.72 and 40 CFR 122.41(f).

2. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition. (40 CFR 122.41(f))

3. In the absence of DEP action to modify or revoke and reissue this permit, the permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants within the time specified in the regulations that establish those standards or prohibitions. (40 CFR 122.41(a)(1))

C. Duty to Provide Information

1. The permittee shall furnish to DEP, within a reasonable time, any information which DEP may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. (40 CFR 122.41(h))

2. The permittee shall furnish to DEP, upon request, copies of records required to be kept by this permit. (40 CFR 122.41(h))

3. Other Information - Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to DEP, it shall promptly submit the correct and complete facts or information. (40 CFR 122.41(l)(8))

4. The permittee shall provide the following information in the annual Municipal Wasteload Management Report, required under the provisions of Title 25 Pa. Code Chapter 94:

   a. The requirements identified in 25 Pa. Code § 94.12.

   b. The identity of any indirect discharger(s) served by the POTW which are subject to pretreatment standards adopted under Section 307(b) of the Clean Water Act; the POTW shall also specify the total volume of discharge and estimated concentration of each pollutant discharged into the POTW by the indirect discharger.

   c. A “Solids Management Inventory” if specified in Part C of this permit.

   d. The total volume of hauled-in residual and municipal wastes received during the year, by source.

   e. The Annual Report requirements for permittees required to implement an industrial pretreatment program listed in Part C, as applicable.

D. General Pretreatment Requirements

1. Any POTW (or combination of POTWs operated by the same authority) with a total design flow greater than 5 million gallons per day (MGD) and receiving from industrial users pollutants which pass through or interfere with the operation of the POTW or are otherwise subject to Pretreatment Standards will be required to establish a POTW Pretreatment Program unless specifically exempted by the Approval Authority. A POTW with a design flow of 5 MGD or less may be required to develop a POTW Pretreatment Program if the Approval Authority finds that the nature or volume of the industrial influent, treatment process upsets, violations of effluent limitations, contamination of sludge, or other circumstances warrant in order to prevent interference or pass through. (40 CFR 403.8)

2. Each POTW with an approved Pretreatment Program pursuant to 40 CFR 403.8 shall develop and enforce specific limits to implement the prohibitions listed in 40 CFR 403.5(a)(1) and (b), and shall continue to develop these limits as necessary and effectively enforce such limits. This condition applies, for example, when there are planned changes to the waste stream as identified in Part A III.C.2. If the permittee is required to develop or continue implementation of a Pretreatment Program, detailed requirements will be contained in Part C of this permit.

3. For all POTWs, where pollutants contributed by indirect dischargers result in interference or pass through, and a violation is likely to recur, the permittee shall develop and enforce specific limits for indirect dischargers and other users, as appropriate, that together with appropriate facility or operational changes, are necessary to ensure renewed or continued compliance with this permit or sludge use or disposal practices. Where POTWs do not have an approved Pretreatment Program, the permittee shall submit a copy of such limits to DEP when developed. (25 Pa. Code § 92a.47(d))

E. Proper Operation and Maintenance

1. The permittee shall employ operators certified in compliance with the Water and Wastewater Systems Operators Certification Act (63 P.S. §§ 1001-1015.1).

2. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance includes, but is not limited to, adequate laboratory controls including appropriate quality assurance procedures. This provision also includes the operation of backup or auxiliary facilities or similar systems that are installed by the permittee, only when necessary to achieve compliance with the terms and conditions of this permit. (40 CFR 122.41(e))

F. Duty to Mitigate

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

G. Bypassing

1. Bypassing Not Exceeding Permit Limitations - The permittee may allow a bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions in paragraphs two, three and four of this section. (40 CFR 122.41(m)(2))

2. Other Bypassing - In all other situations, bypassing is prohibited and DEP may take enforcement action against the permittee for bypass unless:

a. A bypass is unavoidable to prevent loss of life, personal injury or "severe property damage." (40 CFR 122.41(m)(4)(i)(A))

b. There are no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate backup equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance. (40 CFR 122.41(m)(4)(i)(B))

c. The permittee submitted the necessary notice required in paragraph G.4 below. (40 CFR 122.41(m)(4)(i)(C))

3. DEP may approve an anticipated bypass, after considering its adverse effects, if DEP determines that it will meet the conditions listed in paragraph G.2 above. (40 CFR 122.41(m)(4)(ii))

4. Notice

a. Anticipated Bypass – If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible, at least 10 days before the bypass. (40 CFR 122.41(m)(3)(i))

b. Unanticipated Bypass – The permittee shall submit oral notice of any other unanticipated bypass within 24 hours, regardless of whether the bypass may endanger health or the environment or whether the bypass exceeds effluent limitations. The notice shall be in accordance with Part A III.C.4.b.

H. Sanitary Sewer Overflows (SSOs)

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

II. PENALTIES AND LIABILITY

A. Violations of Permit Conditions

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

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

B. Falsifying Information

Any person who does any of the following:

- Falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit, or

- Knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit (including monitoring reports or reports of compliance or noncompliance)

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

C. Liability

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

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

D. Need to Halt or Reduce Activity Not a Defense

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

III. OTHER RESPONSIBILITIES

A. Right of Entry

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

1. To enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit; (40 CFR 122.41(i)(1))

2. To have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit; (40 CFR 122.41(i)(2))

3. To inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices or operations regulated or required under this permit; and (40 CFR 122.41(i)(3))

4. To sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act or the Clean Streams Law, any substances or parameters at any location. (40 CFR 122.41(i)(4))

B. Transfer of Permits

1. Transfers by modification. Except as provided in paragraph 2 of this section, a permit may be transferred by the permittee to a new owner or operator only if this permit has been modified or revoked and reissued, or a minor modification made to identify the new permittee and incorporate such other requirements as may be necessary under the Clean Water Act. (40 CFR 122.61(a))

2. Automatic transfers. As an alternative to transfers under paragraph 1 of this section, any NPDES permit may be automatically transferred to a new permittee if:

   a. The current permittee notifies DEP at least 30 days in advance of the proposed transfer date in paragraph 2.b. of this section; (40 CFR 122.61(b)(1))

   b. The notice includes the appropriate DEP transfer form signed by the existing and new permittees containing a specific date for transfer of permit responsibility, coverage and liability between them; and (40 CFR 122.61(b)(2))

   c. DEP does not notify the existing permittee and the proposed new permittee of its intent to modify or revoke and reissue this permit, the transfer is effective on the date specified in the agreement mentioned in paragraph 2.b. of this section. (40 CFR 122.61(b)(3))

   d. The new permittee is in compliance with existing DEP issued permits, regulations, orders and schedules of compliance, or has demonstrated that any noncompliance with the existing permits

has been resolved by an appropriate compliance action or by the terms and conditions of the permit (including compliance schedules set forth in the permit), consistent with 25 Pa. Code § 92a.51 (relating to schedules of compliance) and other appropriate Department regulations. (25 Pa. Code § 92a.71)

3. In the event DEP does not approve transfer of this permit, the new owner or operator must submit a new permit application.

C. Property Rights

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

D. Duty to Reapply

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

E. Other Laws

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

IV. ANNUAL FEE

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

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

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

Invoices for annual fees will be mailed to permittees approximately three months prior to the due date. In the event that an invoice is not received, the permittee is nonetheless responsible for payment. Throughout a five year permit term, permittees will pay four annual fees followed by a permit renewal application fee in the last year of permit coverage. Permittees may contact the DEP at 717-787-6744 with questions related to annual fees. The fees identified above are subject to change in accordance with 25 Pa. Code § 92a.62(e).

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

PA Department of Environmental Protection
Bureau of Clean Water
Re: Chapter 92a Annual Fee
P.O. Box 8466
Harrisburg, PA 17105-8466

PART C

I. OTHER REQUIREMENTS

A. No storm water from pavements, area ways, roofs, foundation drains or other sources shall be directly admitted to the sanitary sewers associated with the herein approved discharge.

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

C. Collected screenings, slurries, sludges, and other solids shall be handled and disposed of in compliance with 25 Pa. Code, Chapters 271, 273, 275, 283, and 285 (related to permits and requirements for landfilling, land application, incineration, and storage of sewage sludge), Federal Regulation 40 CFR 257, Pennsylvania Clean Streams Law, Pennsylvania Solid Waste Management Act of 1980, and the Federal Clean Water Act and its amendments. The permittee is responsible to obtain or assure that contracted agents have all necessary permits and approvals for the handling, storage, transport, and disposal of solid waste materials generated as a result of wastewater treatment.