



REGION 3

PHILADELPHIA, PA 19103

Report Title: Clean Water Act Compliance Inspection Report
Inspection Date(s): August 15-17, 2023
Regulatory Program(s): National Pollutant Discharge Elimination System (NPDES)
Type of Activity: Pretreatment Compliance Inspection– Publicly Owned Treatment Works (POTW)
Facility Name: Penn Township Wastewater Treatment Plant
Permittee(s): Penn Township
Site/Facility Operator: Penn Township
Facility Address: 1020 Wilson Avenue Hanover, PA 17331
Lat/Long: 39.812770, -76.954490
County/Parish: York
Permit Number: PA0037150
NAICS & SIC Codes: 221320/4952
Unique Project #: 3E23WN055A

Facility Representative:

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Point of Contact



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Date

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Date

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I. Introduction

On August 15-17, 2023, Inspector Jim Kline (Inspector Kline) from the U.S. Environmental Protection Agency (EPA) Region 3, National Pollutant Discharge Elimination System (NPDES) Section conducted an on-site Pretreatment Compliance Inspection (PCI) of the Penn Township Wastewater Treatment Plant (hereinafter “Penn Township WWTP”) Pretreatment Program. The Penn Township WWTP is located at 1020 Wilson Avenue, Hanover, PA 17331. The purpose of the inspection was to observe the Penn Township WWTP Pretreatment Program’s compliance with the Clean Water Act (CWA), the applicable Federal Pretreatment Regulations, and the Facility’s NPDES Permit No. PA0037150 (**See Attachment #1**). Prior to the PCI, the Pennsylvania Department of Environmental Protection (PADEP) was notified of the inspection. PADEP did not send a representative to attend the PCI. Inspector Kline did provide Penn Township WWTP advanced notice of the PCI. Mr. Aron Possler, EPA Region 3, Water Division- Permits Section accompanied Inspector Kline on the PCI.

All information included in this report is the result of observations made by Inspector Kline, statements made by Penn Township WWTP, Snyder’s-Lance Snacks, LLC, and/or UTZ Quality Foods, LLC representatives, materials shown to Inspector Kline by Penn Township WWTP, Snyder’s-Lance Snacks, LLC, and/or UTZ Quality Foods, LLC representatives, and/or documents provided by Penn Township WWTP, Snyder’s-Lance Snacks, LLC, and/or UTZ Quality Foods, LLC representatives to Inspector Kline at the time of, or subsequent to, the inspection.

A. Penn Township WWTP - Opening Conference

Inspector Kline and Mr. Possler arrived at Penn Township WWTP at 12:30 PM on Tuesday, August 15, 2023. Upon arrival, Inspector Kline presented his credentials to Mr. Gene Lank, Superintendent. Mr. Lank introduced Inspector Kline and Mr. Possler to Mr. Todd Kline, Assistant Superintendent. Inspector Kline proceeded to conduct an Opening Conference with Mr. Lank, Mr. Todd Kline, and Mr. Possler.

Inspector Kline informed Mr. Lank and Mr. Todd Kline that any information that Penn Township WWTP deemed to be confidential business information (“CBI”) should be identified to Inspector Kline during the inspection and it would be handled as CBI according to EPA’s CBI procedures. Mr. Lank stated they did not have any CBI claims.

B. Penn Township WWTP - Background Information

Penn Township WWTP is a wastewater treatment plant owned and operated by Penn Township in York County. The NPDES Permit was effective July 1, 2017, and expired June 30, 2022, and has been administratively extended. Penn Township WWTP discharges to the Oil Creek. The Penn Township WWTP has a hydraulic capacity of 4.2 million gallons per day. Mr. Lank stated the actual flow is near 2.1 million gallons per day.

According to Mr. Lank, the Penn Township WWTP services portions of Hanover Borough and West Manheim Township. Mr. Lank provided jurisdictional agreements with Hanover Borough (**See Attachment #2**) which dates to August 1983, and West Manheim Township (**See Attachment #3**) which dates to April 2021. Inspector Kline asked Mr. Lank if the Penn Township WWTP has a Sewer Use Ordinance. Mr. Lank provided Inspector Kline with the Penn Township Sewer Use Ordinance dated February 2008 (**See Attachment #4**).

Inspector Kline asked Mr. Lank if the Penn Township WWTP was current with all EPA annual reporting requirements. Mr. Lank stated Penn Township WWTP is current and has not been late with annual reporting. The most recent Annual Report that Penn Township WWTP submitted was in 2022 (**See Attachment #5**).

Inspector Kline asked Mr. Lank if the Penn Township WWTP accepts any hauled-in wastes. Mr. Lank stated they do have one hauler, Smith, who could transport hauled-in wastes but does not. Inspector Kline asked Mr. Lank if the Penn Township WWTP had a Fats Oil and Grease (FOG) Program. Mr. Lank stated the FOG Program was no longer being implemented. Inspector Kline asked if there were any issues or problems with the program. Mr. Lank stated there were no problems with the program.

C. Penn Township WWTP - Industrial Pretreatment Program File Review

Inspector Kline and Mr. Possler conducted an Industrial Pretreatment Program File Review at the Penn Township WWTP. According to Mr. Lank, Penn Township WWTP currently has eight permitted industrial users (IUs). Inspector Kline asked Mr. Lank if he had a current listing of the permitted IUs. Mr. Evans provided Inspector Kline with a document that listed the IU, IU permit effective dates, and IU address information (**See Attachment #6**).

Inspector Kline asked Mr. Lank how the Penn Township WWTP identifies potential industrial users. Mr. Lank stated the township zoning section receives notice for all new industries planning to operate within their boundary. Inspector Kline asked if the application, Industrial Waste Surveys, or similar type questionnaires are sent out to potential IUs. Mr. Lank stated they do send out Industrial Wastewater Surveys. Mr. Lank provided Inspector Kline with a copy of the survey sent out to Crown Cork and Seal USA, Inc. (**See Attachment #7**). Mr. Lank added they haven't had new industry or received notices for their area.

Inspector Kline asked Mr. Lank if inspections and/or sampling are conducted for the IUs. Mr. Lank stated inspections are conducted for each IU annually. Mr. Lank added all IUs are sampled by Penn Township using their own sampler.

Inspector Kline asked when their local limits were approved. Mr. Lank provided Inspector Kline with a list of local limits (**See Attachment #8**). The document was approved October 19, 2020.

Inspector Kline asked Mr. Lank if any of the permitted IUs caused pass through or interference at the Penn Township WWTP.

Mr. Lank stated that they have not had an incident of pass through, or interference caused by their IUs. Mr. Lank revised his previous statement by stating they did find a sludge greasy discharge at Snyders, which was the same at their tanks which caused process issues on July 26, 2023. Inspector Kline asked Mr. Lank if any of the IUs had any permit parameter exceedances in the past three years. Inspector Kline asked if an enforcement action was taken for this incident. Mr. Lank stated they did not take an enforcement action. Mr. Lank stated

they have not had an IU with a permit parameter exceedance in the past three years, other than surcharge incidents for Total Suspended Solids (TSS), Biochemical Oxygen Demand (BOD), and Phosphorous.

Inspector Kline asked if Penn Township WWTP had an Enforcement Response Plan (ERP) or similar document to address non-compliance by IUs. Mr. Lank provided Inspector Kline with a copy of Penn Township WWTP Enforcement Response Plan **(See Attachment #9)**.

Inspector Kline requested and received a copy of the IU Permit issued to Snyder's-Lance Snacks, LLC located at 1350 York Street in Hanover **(See Attachment #10)**. Inspector Kline also requested a copy of the most recent Inspection Report conducted at Snyder's-Lance Snacks, LLC. Mr. Lank stated he conducted the last annual inspection on December 14, 2022 **(See Attachment #11)**. Inspector Kline requested and received a copy of the IU Permit issued to UTZ Quality Foods, LLC located at 1437 Broadway Ext. in Hanover **(See Attachment #12)**. Inspector Kline also requested a copy of the most recent Inspection Report conducted at UTZ Quality Foods, LLC. Mr. Lank stated the last annual inspection was conducted on December 1, 2022 **(See Attachment #13)**. Inspector Kline completed the Field Checklist with input from Mr. Lank and Mr. Todd Kline **(See Attachment #14- Checklist)**.

As part of the PCI, Inspector Kline selected Snyder's-Lance Snacks, LLC and UTZ Quality Foods, LLC for the IU tour portions of the inspection. Inspector Kline decided that Snyder's-Lance Snacks, LLC would be inspected on August 16, 2023, dependent on completion of the Penn Township File Review, and UTZ Quality Foods, LLC at approximately 8:30AM on August 17, 2023.

II. IU Inspection- Snyder's-Lance Snacks, LLC

A. Snyder's-Lance Snacks, LLC - Opening Conference

Inspector Kline, Mr. Possler, Mr. Lank, and Mr. Todd Kline arrived at Snyder's-Lance Snacks, LLC on August 16, 2023, at approximately 1:42PM. Inspector Kline presented his credentials to Ms. Julie Smith, EHS Manager, at the outset of the inspection. Ms. Smith stated she had been the EHS Manager since 2019. Ms. Smith introduced Inspector Kline and Mr. Possler to Mr. Mags Magness, Maintenance Manager. Mr. Magness stated he has been employed at this position since September 2022. During the Opening Conference, Inspector Kline informed both Ms. Smith and Mr. Magness that any information they deemed to be confidential business information ("CBI") should be identified to Inspector Kline during the inspection and it would be handled as CBI according to EPA's CBI procedures. Inspector Kline stated he would be taking photographs during the inspection. Photographs are provided in Attachment #16.

Inspector Kline explained that the purpose of the inspection was to observe the Penn Township WWTP Pretreatment Program's compliance with the Clean Water Act (CWA) and the applicable Federal Pretreatment Regulations. The inspection of Utz Quality Foods, LLC was conducted to evaluate Penn Township WWTP's oversight of their industrial users.

B. Snyder's-Lance Snacks, LLC - Background Information

Inspector Kline asked Ms. Smith to briefly describe operations at Snyder's-Lance Snacks, LLC. Ms. Smith stated their facility was built on-site in 1986 and consists of 188-acres with three buildings and a wastewater treatment building. Ms. Smith added about half of the property (93-acres) are fields. Ms. Smith stated along with pretzel and potato chip production, they also have a Research and Development Department, and support center offices. Ms. Smith stated they currently have 850 full-time employees.

Ms. Smith stated operations are covered in three shifts for "24/7" operations. Ms. Smith clarified that they typically do not run wastewater on the weekends. Inspector Kline asked Ms. Smith to describe what is sent to their wastewater treatment. Ms. Smith stated waters from their corn and potato wash, water used for cleaning and for the occasional process upsets. Ms. Smith further added the water from those upsets would be drained off and the solids portion would be removed and sent to their food compactor and sold to local farmers for animal feed. Ms. Smith stated their wastewater treatment consists of two dissolved air floatation units (DAF), two equalization (EQ) tanks along with aeration and a post equalization tank. Ms. Smith added they have two 1,200-gallon sludge tanks that are pumped out with two to four loads being hauled out per day. Ms. Smith added wastewater is tested and adjustments are made for pH. Inspector Kline asked Ms. Smith if there were any changes or repairs made to the wastewater treatment system. Ms. Smith stated a new effluent lift station was replaced in 2021. According to Ms. Smith, a manhole was installed in the Blower Room for sampling BOD.

Inspector Kline asked Ms. Smith if there were floor drains in the production areas. Ms. Smith stated all the floor drains drain to EQ1, which is their first equalization tank. Ms. Smith added, EQ1 is pumped to EQ2, then mixed by aeration, then is sent to their DAF unit which is in the Wastewater Building. From the DAF unit, Ms. Smith stated flow is then sent to the post equalization tank and then discharged to the Penn Township WWTP. Inspector Kline asked Ms. Smith if the discharge was continuous or a batch discharge. Ms. Smith stated the discharge was approximately 95% continuously discharged.

Inspector Kline asked about BOD exceedances that resulted in four Notices of Violations that occurred on May 18, August 18, October 13, and November 4, 2022. Ms. Smith stated each violation was addressed and corrected and believed that the root cause for the exceedances have since been corrected.

Inspector Kline received information from Mr. Lank and Mr. Todd Kline that a Penn Township sampling event occurred on July 25, 2023. According to both Mr. Lank and Mr. Todd Kline, the effluent discharge appeared grey in color and was not similar in color as compared to normal operational discharges. Both Mr. Lank and Mr. Todd Kline stated that they believed during the sampling event that the sample tubing had been tampered. Both Mr. Lank and Mr. Todd Kline stated the samples collected were clear in color and were not representative of the effluent discharge that was observed on July 25th. Inspector Kline asked Ms. Smith if she could explain or describe the occurrence. Ms. Smith stated that she was aware of the sampling event and that they take the matter very seriously. Ms. Smith stated that they did investigate and believed the event was caused by their DAF unit as it was turned off for a period on that same day which created additional solids loading from cooked corn operations. Ms. Smith stated that they did not find any evidence that any of their employees tampered with or altered any samples or sampling equipment. Mr. Lank provided Inspector Kline with the documentation regarding the e-mail that he sent to Ms. Smith on July 26, 2023, which included a photograph of the observed effluent discharge and a copy of the response letter dated July 28, 2023, that Mr. Lank received from Mr. Brad Canterbury, Campbell's Director of Manufacturing (**See Attachment #15**).

C. Snyder's-Lance Snacks, LLC - Observations

Inspector Kline requested to tour the wastewater treatment areas. Accompanying Inspector Kline on the tour were: Mr. Possler, Mr. Lank, Mr. Todd Kline. Inspector Kline along with those accompanying him were introduced to Mr. Jim Bush and Mr. Emilio Garcia, Wastewater Treatment Operators.

- Observation #1:** Inspector Kline observed a Hach sc200 pH control meter in the wastewater building (**See Attachment #16- Photo #1**). Inspector Kline observed the reading on the pH display to be 5.00. Inspector Kline asked Mr. Bush how many buffers are used during the calibration checks. Mr. Bush stated he calibrates using only the 7 and 10 buffers. Inspector Kline requested to see the buffer solutions. Mr. Bush produced two one-gallon jugs of 4 and 10 buffer solutions (**See Attachment #16- Photo #2**).
- Observation #2:** According to Ms. Smith effluent samples are collected from within the Boiler Room. Both Mr. Lank and Mr. Todd Kline verified this information. Inspector Kline observed the permitted sampling location (**See Attachment #16- Photo #3**). Inspector Kline observed little to no flow within the manhole. Adjacent to the sampling location access was a second covered manhole and a smaller access with a "T-handle" bar in-place (**See Attachment #16- Photo #4**).
- Observation #3:** Inspector Kline observed a Hach sc100 pH meter which had a digital display reading of 6.84 within the Boiler Room (**See Attachment #16- Photo #5**).
- Observation #4:** Inspector Kline observed an ISCO 3710 refrigerated composite sampler in the Boiler Room (**See Attachment #16- Photos #6 & #7**). Inspector Kline requested to observe the inside of the refrigerated compartment (**See Attachment #16- Photo #8**). Mr. Bush removed the thermometer from the refrigerated compartment and stated the temperature reading was 7.7 degrees Celsius.
- Observation #5:** Inspector Kline observed two drum screens which were currently in use for the removal of potato peels in the Dungeon Room (**See Attachment #16- Photo #9**).

This concluded the physical inspection portion of Snyder's-Lance Snacks, LLC. Following the Closing Conference, Inspector Kline and Mr. Possler left the facility at approximately 5:15PM.

III. IU Inspection- UTZ Quality Foods, LLC

A. UTZ Quality Foods, LLC - Opening Conference

Inspector Kline, Mr. Possler, Mr. Lank, and Mr. Todd Kline arrived at UTZ Quality Foods, LLC at approximately 8:30AM on August 17, 2023. Inspector Kline presented his credentials to Mr. Ace Black, Plant Manager, at the outset of the inspection. Mr. Black stated he had been the Plant Manager for over one year and has worked there for ten years. Inspector Kline conducted an Opening Conference. During the Opening

Conference, Inspector Kline informed Mr. Black that any information deemed to be confidential business information (“CBI”) should be identified to Inspector Kline during the inspection and it would be handled as CBI according to EPA’s CBI procedures. Inspector Kline stated he would be taking photographs during the inspection. Photographs are provided in Attachment #16.

Inspector Kline explained that the purpose of the inspection was to observe the Penn Township WWTP Pretreatment Program’s compliance with the Clean Water Act (CWA) and the applicable Federal Pretreatment Regulations. The inspection of Utz Quality Foods, LLC was conducted to evaluate Penn Township WWTP’s oversight of their industrial users.

B. UTZ Quality Foods, LLC - Background Information

Inspector Kline asked Mr. Black to provide a brief historical description of their facility and what UTZ Quality Foods, LLC does at this location. Mr. Black stated they make a variety of pretzels at this facility. Mr. Black added UTZ Quality Foods, LLC has three additional manufacturing plants located in Hanover Borough. Mr. Black stated only this facility discharges to the Penn Township WWTP.

Mr. Black stated UTZ Quality Foods, LLC has been located at this 120,00 square-foot building since 1970 and currently has 300 full-time employees. Mr. Black stated they normally will bring on additional part-time workers for their Halloween production. Mr. Black added 24-hour operations are from Monday through Thursday covered by 12-hour shifts and operate only day shifts Friday through Sunday.

Inspector Kline asked if UTZ Quality Foods, LLC had a generic process flow diagram for the wastewater treatment system. Mr. Kevin Little, Director of Environmental Compliance provided Inspector Kline with an e-mail on August 18, 2023, that included a process wastewater treatment system flow diagram (**See Attachment #17**).

Inspector Kline asked if there were any changes in the process. Mr. Black stated they have not had any changes in the past three years. Mr. Black added the last change that had occurred was the #12 Mixer had been moved.

Inspector Kline asked about BOD, TSS and Phosphorus exceedances that have occurred in 2022. Mr. Black stated it was not a violation of their permit for these exceedances as they pay surcharges for those exceedances.

C. UTZ Quality Foods, LLC - Observations

Inspector Kline requested to tour the wastewater treatment areas. Accompanying Inspector Kline on the tour were: Mr. Possler, Mr. Lank, Mr. Todd Kline.

Observation #6: The Effluent Sample Location 001 is in the basement. Inspector Kline observed a Hach sc4500 pH control meter (**See Attachment #16- Photo #10**). Inspector Kline observed the reading on the pH display to be 9.27. Inspector Kline asked Mr. Blaine Gladfelter, Maintenance Supervisor and Mr. David Garner, Wastewater Supervisor how many buffers are used during pH calibration check. Mr. Garner stated pH checks are conducted using only the number 10 buffer.

Observation #7: According to Mr. Garner, effluent samples are collected from a tap from the final tank which is also located in the basement. Both Mr. Lank and Mr. Todd Kline verified the effluent sampling location information. Inspector Kline observed the permitted sampling location (**See Attachment #16- Photo #11**).

Observation #8: Inspector Kline observed a Global Water WS700 refrigerated composite sampler (**See Attachment #16- Photo #12**). Inspector Kline requested to observe inside the refrigerated compartment. There was not a sample container inside the compartment. Inspector Kline did observe the thermometer which indicated the temperature was 6.5 degrees Celsius (**See Attachment #16- Photo #13**).

This concluded the physical inspection portion of UTZ Quality Foods, LLC. Following the Closing Conference, Inspector Kline and Mr. Possler left the facility at approximately 11:00AM.

IV. Closing Conferences

After the inspections of Snyder's-Lance Snacks, LLC and UTZ Quality Foods, LLC, Inspector Kline conducted individual closing conferences at each facility. Inspector Kline shared preliminary observations about each facility. Inspector Kline reiterated that all preliminary observations discussed were not compliance determinations. All preliminary observations shared were subject to further investigation by 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 EPA reviewed additional materials following the inspection.

Inspector Kline conducted a closing conference with Mr. Lank, Mr. Todd Kline, and Mr. Possler following the inspection of UTZ Quality Foods, LLC. This concluded the PCI.

V. List of Attachments

- Attachment 1.** NPDES Permit PA0037150
- Attachment 2.** Jurisdictional Agreement- Hanover Borough
- Attachment 3.** Jurisdictional Agreement- West Manheim Borough
- Attachment 4.** SUO
- Attachment 5.** 2022 Annual Report
- Attachment 6.** List of IUs
- Attachment 7.** Survey- CCS
- Attachment 8.** Local Limits
- Attachment 9.** Enforcement Response Plan (ERP)
- Attachment 10.** IU Permit- SL Snacks
- Attachment 11.** Inspection Report- SL Snacks
- Attachment 12.** IU Permit- UTZ
- Attachment 13.** Inspection Report- UTZ

Attachment 14. PCI Checklist

Attachment 15. July 2023 Sampling Incident

Attachment 16. Photographs

Attachment 17. WW Flow Diagram- UTZ