

**ANNVILLE TOWNSHIP AUTHORITY  
MARCH 22, 2022 REGULAR MONTHLY MEETING AGENDA**

Announced Visitor(s): None

1. Call to Order – 5:30 PM
2. Approval of Agenda
3. Recognition of Visitors and Opportunity for Public Comment
4. Approval of Minutes from February 22, 2022 Regular Meeting
5. Financial Reports
6. Accounts Payable and Approval of Bills
7. Superintendent's Report
  - Sampling and Surcharges
  - Ratification of Tire Machine Purchase
  - Biosolids Permit
  - Fats, Oils, and Grease Regulations
8. Solicitor's Report
9. Engineer's Report
  - Chapter 94 Report
10. Clerk's Report
  - Delinquent Report
  - Significant Outstanding MS4 Fee Balances
11. Adjournment

**MINUTES OF THE ANNVILLE  
TOWNSHIP AUTHORITY  
March 22, 2022**

The March Regular Monthly Meeting of the Annville Township Authority was held starting at 5:30 PM on March 22, 2022 in the Commissioners' Room of Annville Town Hall, 36 North Lancaster Street, Annville, PA with the following members present: Anthony Deaven, Chairperson; Dustin Sider, Vice Chairperson; Karen Mailen, Secretary; Hugh Rooney, Treasurer; and Barry Ludwig, Assistant Secretary/Assistant Treasurer. Also in attendance were Karen Gerhart, Township Administrator and Authority Clerk; Leslie J. Powell, Superintendent of the Wastewater Treatment Plant (WWTP); and Corey Lamoureux, Esq., Township Solicitor.

Chairperson Deaven called the meeting to order and led those present in the Pledge of Allegiance to the flag of the United States of America.

**APPROVAL OF AGENDA:** MOTION by Mr. Sider, second by Mr. Rooney to approve the agenda as presented. Motion carried unanimously.

**RECOGNITION OF VISITORS AND OPPORTUNITY FOR PUBLIC COMMENT:** Chairperson Deaven provided an opportunity for public comment and no comments were noted.

**APPROVAL OF MINUTES:** MOTION by Mr. Rooney, second by Ms. Mailen to approve the minutes of the Regular Meeting held February 22, 2022 as presented. Motion carried unanimously.

**FINANCIAL REPORTS:** The Authority reviewed the income statements and balance sheets for the Sewer Fund, Sewer Capital Fund, and MS4 Fund for the period ending February 28, 2022.

**ACCOUNTS PAYABLE AND APPROVAL OF BILLS:** The Accounts Payable list for March 2022 was reviewed, with Mr. Powell providing detailed information on expenditures questioned by Mr. Rooney. MOTION by Ms. Mailen, second by Mr. Sider that the list of vendors to be paid (Cash Disbursements Journal) for the Sewer Fund, Sewer Capital Fund, and MS4 Fund, which list is filed with other Authority records, be approved by the Authority for submission to the Board of Commissioners for payment. Motion carried unanimously.

**SUPERINTENDENT'S REPORT:** Mr. Powell reported that the WWTP is operating very well. He began by reviewing the Monthly Report before continuing to the Status of Pending Projects Report, a copy of which is attached hereto and made a part of these minutes, and the following items were discussed in detail:

**Sampling and Surcharges:** The Authority reviewed the results of the latest samplings for the Corvette Bar and Grill, Just Wing It, Ninh Kieu Restaurant, Rotunda Brewing Company, Rotunda Restaurant & Brewery, and the Lebanon Valley (UCC) Home. Mr. Powell reported that copies of these sampling results were mailed to these entities earlier in the month and, based upon these results, surcharges would be assessed to their April 1, 2022 sewer bills with the exception of Rotunda Brewing Company, which did not exceed any of the Township limitations.

**Biosolids Permit:** Mr. Powell shared a memo from Material Matters providing updates on possible changes to biosolids permitting.

**Ratification of Tire Machine Purchase:** Noting the cost for the tire machine had increased since the prior month's Authority meeting to \$2,399, **MOTION** by Mr. Rooney, second by Mr. Sider to recommend to the Board of Commissioners it ratify the purchase of the tire machine for \$2,399, the cost to be divided equally between the General Fund and the Sewer Fund. Motion carried unanimously.

**Fats, Oils, and Grease Regulations:** Nothing to report this month.

**SOLICITOR'S REPORT:** Mr. Lamoureux reported that the outstanding balance for the 34 W. Queen Street property had been paid. The property was on the Lebanon County Sheriff Sale listing and has reverted back to the lender. He also informed the Authority that the outstanding balance of sewer, trash, and MS4 fees pertaining to the properties at 141 and 143 West Main Street have been paid in full and, as such, there is no reason to pursue a lien against these properties at this time. Mr. Lamoureux also informed the Authority that letters concerning unpaid MS4 fees were sent to the owners of ES S. Meyer Street and 300 N. White Oak Street requesting they remit payment on the delinquent balances.

**ENGINEER'S REPORT:** The Authority reviewed an update provided by Mr. Sahd of Gannett Fleming of his firm's engineering activities over the past month, a copy of which is attached hereto and made a part of these minutes.

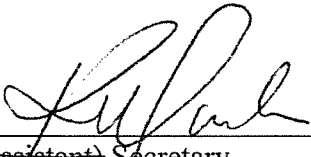
**Chapter 94 Report:** It was noted that draft copies of the Municipal Wasteload Management (Chapter 94) Report for 2021, as prepared by Gannett Fleming, had been forwarded to the members of the Authority, Mr. Powell, Ms. Gerhart, and Mr. Lamoureux. It was also noted the report indicated the WWTP was operating well within its capacity from both a hydraulic and organic loading standpoint and the report would be submitted to DEP shortly.

**CLERK'S REPORT:** The Authority was informed of the following item:

**Delinquent Report:** Ms. Gerhart informed the Authority of the measures taken by the Township Office over the past month to collect on delinquent accounts. She noted that 18 accounts were posted for water shut-off and that over the past four weeks more than \$6,672.49 had been received from significantly past-due customers.

**MOTION** by Mr. Rooney, second by Mr. Ludwig to approve the reports as presented at this meeting. Motion carried unanimously.

There being no further business to come before the Authority, **MOTION** by Mr. Rooney, second by Mr. Ludwig to adjourn the meeting. Motion carried unanimously and the Regular Meeting was adjourned at 5:44 PM.

  
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(Assistant) Secretary

## ***ANNVILLE TWP.WASTEWATER TREATMENT PLANT***

### **STATUS OF PENDING PROJECTS**

**March 18, 2022**

- |     |                                   |   |
|-----|-----------------------------------|---|
| (1) | <b><u>SURCHARGE</u></b>           | Results attached for sampling this month  |
| (2) | <b><u>HAULING</u></b>             | Processed 513,210 gallons of biosolids 40.92 dry tons   |
| (3) | <b><u>PLANT</u></b>               | Plant is operating very well  |
| (4) | <b><u>SEPTAGE CARD READER</u></b> | The control screen went out had to get a new one this should be covered under warranty we have. |
| (5) | <b><u>BIOSOLIDS PERMIT</u></b>    | (See Attachment)  |

Respectfully Submitted,  
Les Powell  
Plant Superintendent



# Memo

**To:** General Permit Renewal Group  
**From:** Trudy Johnston, Robin Brandt, Lisa Challenger  
**CC:** file  
**Date:** March 15, 2022  
**Re:** Update – PADEP DRAFT Comments

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Material Matters is providing this update on the status of the PAG-07 and PAG-08 General Permit (GP) renewal process. Note that the Pennsylvania Department of Environmental Protection (PADEP) has requested that comments on the Pre-Draft GPs be provided no later than March 18, 2022. The purpose of this memorandum is to bring the group up to date on the status of permit renewals and provide draft comments that Material Matters intends to provide to PADEP. Notably, once published in the Pennsylvania (PA) Bulletin, the public will have an opportunity (60 days) to provide more substantive comments on the DRAFT GPs.

As reported in an earlier memorandum, there were three opportunities to participate in Pre-Draft GP groups; Agricultural Advisory Board (AAB) Workgroup, Water Resources Advisory Committee (WRAC) Workgroup, and a PADEP Stakeholder Group. The PADEP Stakeholder Group was formed as an additional mechanism to get constructive feedback from a variety of interested parties. Material Matters participated in the PADEP Stakeholder Group formed by Jay Patel and Kevin McCleary. The Stakeholder Group included several Utility participants, land application contractors, and consultants.

To date, we are unaware that WRAC formed a Workgroup. The Agricultural Advisory Board (AAB) formed a Workgroup that met in July 2021 and has yet to report back to the AAB.

## Status

Without an extension, the existing GPs will expire on April 2, 2022. It is assumed that the GPs will be renewed for another year at this point. However, the process of finalizing and implementing new GPs could occur before the end of the one-year extension. The process of finalizing the PAG-07 and PAG-08 requires PADEP to publish draft GPs, provide for 60-day public comment period, PADEP response to public comments, and final publication in the Pennsylvania Bulletin.

Because the DRAFT GPs have not been published in the Pennsylvania Bulletin yet, the timeline for final publication can only be estimated. At this time, we estimate that operation under the new GPs may be required as early as October 2022 and as late as early 2023. Implementation is assumed

to take place over a short window of time for selected conditions, and over a two-year period for site specific conditions (i.e., P-Index).

Material Matters' comments to PADEP are attached to this memorandum and will be submitted March 18, 2022. The attached comments are not intended to take the place of more detailed comments to be prepared once the Draft GPs are published in the Pa Bulletin. There is no need to submit the attached comments to PADEP unless your utility participated in the PADEP Stakeholder Group.

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*DRAFT COMMENTS TO PADEP – PRE-DRAFT PAG-07 & PAG-08*

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As participant in the PADEP Stakeholder Group, Material Matters is offering the following comments relative to the Pre-Draft General Permits for Biosolids - PAG-07 and PAG-08. We have made these comments available to municipal clients for their consideration. Note that there were a number of questions about mixtures of residual and municipal waste and how beneficial use not covered under the Biosolids General Permits (GPs) would be permitted and enforced. To date, those questions have not been addressed by PADEP.

The following comments are related to both the Pre-Draft PAG-07 and PAG-08.

**PFOA and PFOS monitoring** – The requirement to monitor biosolids for perfluorooctanoic acid (PFOA) and perfluorooctane sulfonate (PFOS) compounds (collectively called PFAS compounds) is *premature*. Additionally, requiring PFAS monitoring at the frequency required in Part B, II of the Pre-Draft GPs (referring to Chapter 271.917) is simply testing for the sake of testing.

There are challenges to required monitoring, as summarized herein. Challenges include:

1. There currently is no approved multi-laboratory validated testing methods for PFAS compounds in solids;
2. Sample collection protocols are complicated and not well defined;
3. There are no accredited laboratories in Pennsylvania to conduct PFAS testing on biosolids;
4. There is no information about who would compile and analyze the data provided and how information on PFAS monitoring data would be interpreted;
5. There are no limits set by the United States Environmental Protection Agency (USEPA) for biosolids; and
6. The estimated cost for sampling and testing is significant.

The USEPA is addressing PFAS through a Strategic Roadmap and Commitment to Action 2021-2024. The final risk assessment for PFOA and PFOS in biosolids is planned for completion in Winter 2024. Depending on the results of the USEPA risk assessment, it is likely that target / final regulatory limits will be set for biosolids destined for beneficial use at the federal level that will be based on proven scientific information.

A study was conducted Michigan in 2018 to evaluate the potential for PFAS to pass through Wastewater Treatment Plants (WWTP) and eliminate significant industrial sources. The focus was on the Industrial Pretreatment Programs (IPP) implementation. An additional initiative examined more closely the impact of PFAS on influent, effluent, and solids. A report was issued in June of 2020<sup>1</sup>. It is clear from the study that industrial sources of PFAS impact wastewater effluent and solids.

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<sup>1</sup> [https://www.michigan.gov/documents/egle/wrd-pfas-initiatives\\_691391\\_7.pdf](https://www.michigan.gov/documents/egle/wrd-pfas-initiatives_691391_7.pdf)

We recommend a voluntary program for PFAS monitoring of influent, effluent, solids, leachate, and industrial discharges in the service area be developed by PADEP where the source of the data remains anonymous. The program would include guidance on sample collection protocols, a recommended laboratory to conduct all analysis, assurances that data collected would remain anonymous, and funds to support the effort. This voluntary program would serve to provide baseline information to the WWTPs and PADEP as additional research is being conducted. With this program, it is recommended PADEP work with EPA region III to provide support for IPP program guidance relative to PFAS identification and reduction from industrial sources.

**Phosphorus-Index Application Rates** – The requirement to calculate application rates for biosolids applied farms, based on the *then current version* (V2) of the Pennsylvania Phosphorus Index (P-Index), will not be effective in managing overall P discharges to the Chesapeake Bay and surface waters.

Penn State University (PSU) developed V2 of the P-Index, currently accepted for use. Version 3 is under development by PSU and will be released at some point in the future. The requirement to use this changing version of the P-Index provides no mechanism for biosolids generators or land appliers to comment on version changes that may impact use of biosolids in the future.

Pennsylvania (PA) farms that receive biosolids represent a tiny fraction of cropland in the commonwealth. Until *all* PA farms implement P-based nutrient management practices, there is little advantage in focusing attention on biosolids farms. Notably, biosolids farms have a tradition of strict compliance with nutrient application requirements which are rigorously enforced by PADEP. Enforcement of nutrient management requirements on biosolids farms receive far more oversight than other farming operations in PA.

The proposed requirement to mandate P-based application rates for beneficial use of biosolids on farmlands should be broken into two separate lines of consideration; potential environmental benefit gained by, (1) Mandating use of the current Pennsylvania Phosphorus Index (P-Index-V2), and (2) Mandating development of an updated P-Index (V3) to improve on the effectiveness of P-Index V2. It is hasty to rush forward with both objectives now since the need for the proposed V3 model for biosolids farms is unconfirmed and the design of V3 is uncertain. We offer the following thoughts.

1. Use of the current P-Index (V2) for biosolids farms:
  - a. P-Index-V2 includes a phosphorus source coefficient (PSC) that considers the organic residual water-soluble P fraction that is vulnerable to off-site transport in runoff (environmentally relevant P). Rainfall simulation research at PSU in the early 2000s (Brandt, 2003) *documented that biosolids P export from biosolids treated soils represent a much lower soluble-P export risk than manure*. We are unaware of any published research that reports on elevated soluble P in runoff from biosolids treated farm fields.
  - b. Requiring biosolids farms to implement P-based nutrient management could have a very detrimental impact on the willingness of farm operators to participate in



biosolids beneficial use programs. This unintended consequence could result in fewer opportunities for biosolids use on farms

2. Development of an updated P-Index (V3) for use on biosolids farms:

- a. Any updates or improvements to P-Index-V2 (i.e., V3) must be based on research that has been published in peer-reviewed literature and subjected to open discussion with the regulated community prior to implementation.
- b. P-Index-V3 must include consideration of the phytoavailability of biosolids P (transfer of P from soil to plant) so that an appropriate P-based agronomic rate can be determined when an N-based agronomic rate is not warranted. Research has shown that biosolids P phytoavailability can be <25% of triple super phosphate (TSP) chemical fertilizer depending on the processing method (O'Connor et al., 2004). Such research is critical in considering any proposed updates to the current P-Index.

We recommend that the GPs do not include language requiring P management at this time. Alternatively, we recommend that *specific language* on P management on biosolids farms be developed, openly debated, and included in a future renewal of the GPs. We strongly recommend that if the P-Index language in the Pre-Draft GPs remains unchanged, at least four (4) years are necessary to fully implement P-Index-V2. Any updates to a P-Index-V3 must be delayed until supporting research has been published and thoroughly vetted. While preliminary discussion of future improvements that might be incorporated a P-Index-V3 may be beneficial, we strongly recommend that the subject of V3 be completely separated from the current GP discussion.

**Hauled Waste Exception** – Uses not covered under the GPs includes land application of biosolids mixed with hauled-in wastes that are not processed through the entire wastewater treatment system. The genesis of the idea to exclude land application of biosolids when hauled-in waste was being accepted was a solution in search of a problem. Representatives of PADEP at the time made it clear that they did not like hauled-in waste programs. The definition of sewage sludge was recently connected with the decision to exclude hauled-in waste from coverage under the GPs, even though tenuously connected.

Regulatory changes in the GPs to exclude coverage under the GPs is a recent development, since both land application under the GPs and hauled-in waste programs have been operated since the GPs were first enacted in 1997. Land application and hauled-in waste programs have been operated together for decades, with no known documented impact on human health and the environment or compliance actions necessitated by PADEP.

Co-digestion (anaerobic digestion) of food processing residuals (FPR) with municipal solids is being encouraged as a way to reduce dependence on fossil fuels and reduce the volume of food waste going to landfills or being applied directly to the land without treatment. The microbes responsible for anaerobic digestion don't care about the source of their energy; whether municipal or residual waste. There is no discernable difference in the solids generated based on the feedstock. Changing permitting pathways for utilities that accept FPRs directly into anaerobic digesters is not

advised until a response to unanswered questions is provided and a comprehensive beneficial use program is adopted, regardless of the definition of sewage sludge.

Questions that were not answered during the PADEP Stakeholders meetings that make it difficult to fully comment on this new GP condition include the following.

1. What defines a mixture of municipal and residual waste?
2. Will permittees be given a grace period to identify and apply for an individual permit should coverage under the GPs be denied or coverage be revoked?
3. What PADEP Bureau will oversee the beneficial use program that have a mixture of municipal and residual waste?
4. How will the Bureau of Water and Waste coordinate efforts for permitting and compliance /oversight of land application in Pennsylvania?
5. How will the Individual Permits be organized and what conditions will be included?
6. What is the timeline for reviewing and permitting under an Individual Permit?
7. Will existing WMGR permits be open for land application coverage?

It is recommended that PADEP remove GP condition 8 from “Uses Not Covered Under This General Permit” until a number of these questions have been addressed and a viable program is developed for biosolids and residuals land application, regardless of the sources. Additionally, if there are questions about municipal oversight and operation of hauled-in waste programs, PADEP should address those questions through initiation of other water programs. There are risk-based approaches used to manage hauled-in waste programs that are being used successfully now that can serve as an example.

#### **Additional comments for PAG-07**

1. **Nuisance Dust & Odors** – A condition was added to the PAG-07 related to malodors and dust and a requirement to prepare a Biosolids Quality Enhancement Plan (BQEP), if a “persistent” public nuisance occurs. We recommend that “persistent” be defined.

We agree that preparation of a BQEP is a reasonable requirement to address biosolids quality and nuisances for Exceptional Quality (EQ) biosolids. Notably, both the generator and land applier must take responsibility for managing nuisance odors and dust to result in an acceptable outcome. We recommend both source and site solutions be identified and addressed in BQEP.

Soil incorporation and more stringent vector attraction reduction were offered as options to mitigate nuisances for an EQ biosolids. These options are not practical for EQ biosolids. We recommend that conditions (page 4) 3a and 3b be deleted.

2. **Field Storage Requirements** – A condition was added to require covered storage areas and protection from precipitation for *bulk* storage of EQ biosolids. Covered storage is a broad term that is not defined in the GP and is not a requirement in Chapter 285, Storage

of Municipal Waste. We recommend that the field storage language in the PAG-07 follow the exact requirements and language in PA Chapter 285.134 to control run-on and runoff.

It is also recommended that the land applier develop a Comprehensive Storage Plan for each farm where bulk EQ biosolids are planned for storage. The Plan should address run-on and runoff and be submitted to PADEP with the 24-Hour Notice.

#### **Additional comments for PAG-08**

1. A condition was added to the PAG-08 related to malodors and dust, if a “persistent” public nuisance occurs. We recommend that “persistent” be defined. Additionally, odor and dust nuisance mitigation is dependent on the quality of the biosolids (generator) and the practices at the qualified farm (land applier).
2. Field Storage Requirements – A condition was added to require covered storage areas and protection from precipitation for storage of Class B biosolids. Covered storage is a broad term that is not defined in the GP and is not a requirement in Chapter 285, Storage of Municipal Waste. We recommend that the field storage language in the PAG-08 follow the exact requirements and language in PA Chapter 285.134 to control run-on and runoff. Run-on and runoff for proposed field storage areas should be addressed in the Storage Plan submitted with a 30-Day Notice.

An additional storage condition was added to the PAG-08 to limit the amount of storage to what is necessary to meet the agronomic application rate for the upcoming season’s crops. Chapter 285.113(a) allows storage in piles for up to one year. A storage duration of one year allows pre-positioning of biosolids that are available for use when both crops and weather allows. We recommend that the language in the GPs follow the requirements in Chapter 285.113(a).



TO: Annville Township Authority  
FROM: Nick Sahd, Gannett Fleming, Inc.  
DATE: March 22, 2022  
SUBJECT: March 2022 Consulting Engineer's Report

This report summarizes the projects in which Gannett Fleming has provided engineering consulting services to the Authority over the past month. We are pleased to outline the following for your review and consideration:

### **1. Miscellaneous Services**

- a. NPDES Permit Renewal
  - The current National Pollutant Discharge Elimination System (NPDES) Permit was effective on September 1, 2016 and will expire on August 31, 2021. The NPDES Permit Renewal Application package must be submitted to the PADEP within 180 days of the expiration date (by March 4, 2021).
  - The renewal application package was submitted to PADEP on February 26, 2021.
  - PADEP issued a draft NPDES Permit to the Township on March 10, 2022. The draft Permit has not yet been published in the Pennsylvania Bulletin. The 30-day public comment period will commence on the date of publication in the PA Bulletin.
  - GF reviewed the draft Permit and provided a comparison of changes/revisions to the Township on March 22, 2022. The draft Permit is generally acceptable although we are working with PADEP to have them remove new monitoring requirements for Total Copper and Total Lead in the final Permit.
  - GF will develop a comment letter (based on feedback from Township staff) to be submitted to PADEP within the 30-day public comment period for consideration when PADEP issues the final NPDES Permit.

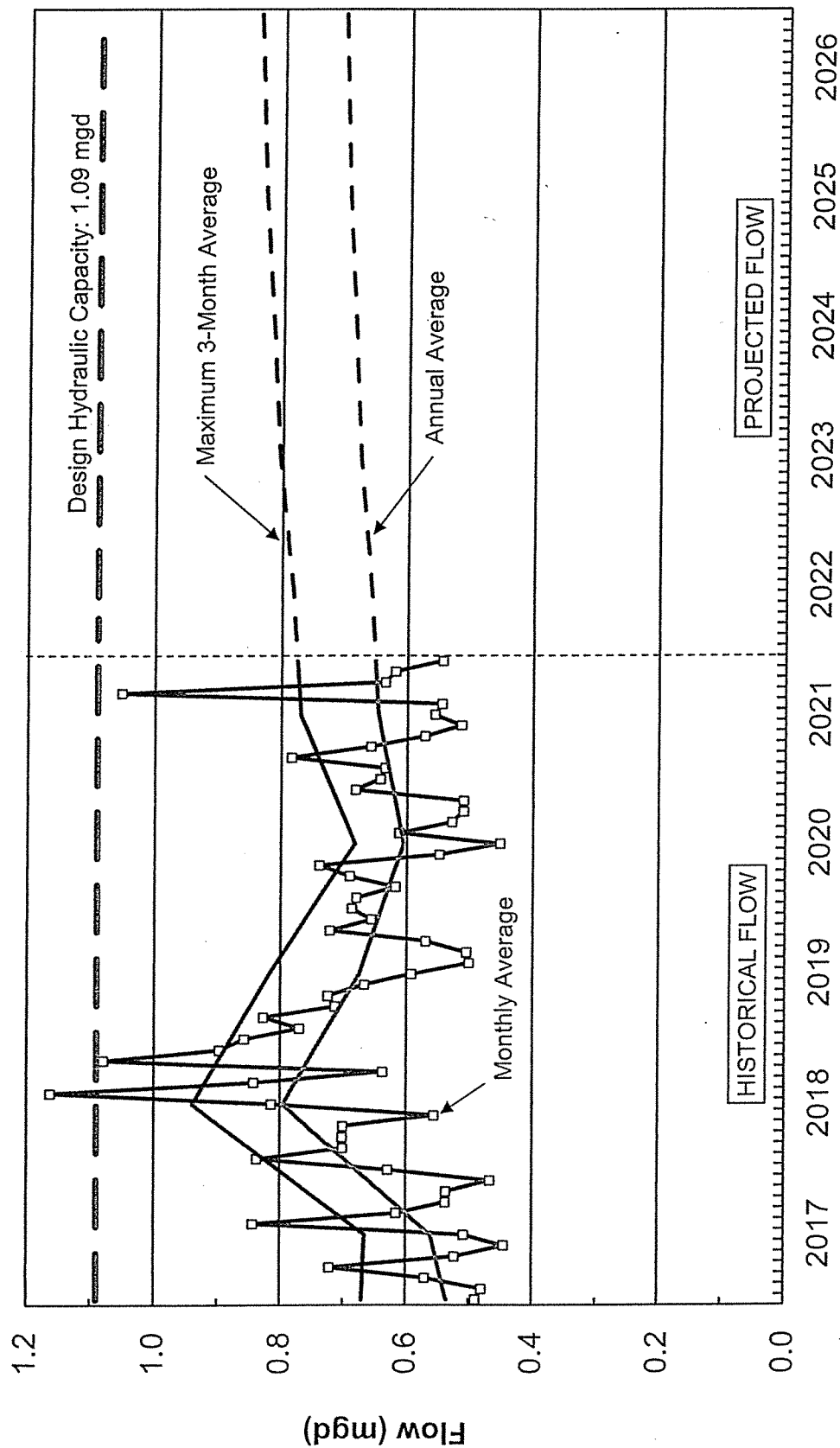
### **2. Annual Services**

- a. Municipal Wasteload Management (Chapter 94) Report
  - Preparation of the annual Municipal Wasteload Management (Chapter 94) Report is almost complete, and the draft Report will be provided to Township staff later this week for review and comment.
  - Copies of the WWTP Hydraulic and Organic Loading Figures are provided with this report. Based on Chapter 94 definitions, the WWTP is not considered to be, or projected to be, hydraulically or organically overloaded.
  - The Report is due to Pennsylvania Department of Environmental Protection (PADEP) by March 31, 2022.

### **3. Subdivision / Land Development Reviews**

- a. Nothing to report

**Figure 1**  
**Total Combined Hydraulic Loading Graph**  
 TOWNSHIP OF ANNVILLE



**Figure 2**  
**Total Combined Organic Loading Graph**  
 TOWNSHIP OF ANNVILLE

