

LOWER PAXTON TOWNSHIP  
AUTHORITY MEETING

Minutes of Township Authority Meeting held June 10, 2008

An administrative meeting of the Lower Paxton Township Authority was called to order at 8:15 p.m. by Chairman William B. Hawk on the above date in the Lower Paxton Township Municipal Center, 425 Prince Street, Harrisburg, Pennsylvania.

Authority members present in addition to Mr. Hawk were William C. Seeds, Sr., William L. Hornung, Gary A. Crissman, and David B. Blain. Also in attendance were George Wolfe, Township Manager; Steve Stine, Township Solicitor; William Weaver, Sewer Authority Director, Jim Wetzel Sewer Authority Operations Supervisor; Jodi Reese, Alton Whittle, and Kevin Shannon, CET, Engineering, Inc., James Spare and Bill Jones, Swatara Township Authority; and Alex Morrison, The Arro Group, Inc.

**Pledge of Allegiance**

Mr. Seeds led the Pledge of Allegiance to the flag.

**Approval of Minutes**

Mr. Crissman made a motion to approve the minutes from the February 26, 2008 meeting, the April 1, 2008 meeting, and the May 6, 2008 meeting. Mr. Blain seconded the motion, and a unanimous vote followed.

**Public Comment**

No comment was provided.

**Board Members Comments**

No comment was provided by Board members.

## **New Business**

### Presentation by Swatara Authority on solids disposal alternatives for the Swatara Township Treatment Facility

Mr. Weaver noted that Mr. Spare, Mr. Jones, and Mr. Morrison have agreed to meet with the Authority members to explain part of the sludge disposal option for the upgrades to the Swatara Treatment Authority (STA). He noted that he attended a meeting where the engineers' 30% design review was discussed, and comments from that meeting were provided to the Authority members. He noted that as a part of that review, CET noted that the disposal alternative selected had some significant operational maintenance costs, and Mr. Wendle provided that information to the STA, and a copy of their response was included in the Authority member's packets. He noted that a letter from Mr. Spare, and a letter from Mr. Morrison with some cost analysis were included in the Board member's packet as well.

Mr. Weaver explained that the analysis reviewed the cost differences between using a biosolids dryer versus lime stabilization, and after reviewing the analysis, it was thought that it would be best for representatives from Swatara Township to provide a presentation on the different alternatives that they have reviewed.

Mr. Bill Jones, the Swatara Township Superintendent, distributed three handouts to the Authority members. He explained that his purpose for attending the meeting is to explain why SWT chose the dryer option. He noted that over the past several years, his employees have visited over 30 different installations, talking to the managers, operators, and engineers, and two decisions were agreed upon for the end disposal process. He noted that STA wanted a Class A, Exceptional Quality (EQ) end product, and they did not want to rely on land applications.

Mr. Jones noted that land application is a beneficial reuse of biosolids, noting, in his opinion it is a good option, but it could have a negative connotation. He noted if the biosolids are contaminated and they are placed on the land, it is a bad thing. He noted if the food products from

the land are contaminated it is bad, or if animals or people get sick, or die, it is definitely bad. He noted that receiving claims for those any of those instances are bad, and so is the publicity. In addition, he stated that any run off from those fields of phosphorus and nitrogen that enters into the waterways would be a bad thing.

Mr. Jones explained that Pennsylvania Department of Environmental Protection, (PADEP) used to be a strong proponent of land applications, and while they are not against it, they have backed off of their approval of land applications. He noted that there have been claims filed of children becoming sick, severe illnesses, a restaurant closing in Pennsylvania, two cases of child deaths, and all due to contact with biosolids that were applied in farmers fields.

Mr. Jones noted that the first handout is from the National Association of Clean Water Agency (NACWA), American Public Works Association (APWA), and the Water Environment Federation (WEF). He quoted from the first paragraph, "U. S. District Court decision regarding claims that biosolids land application resulted in contaminated pastureland... It is possible that this is only the first of a series of articles on biosolids, but it is unclear on what additional coverage is planned." He noted that the WEF definitely supports land applications, but numerous claims have been filed, and it is becoming more and more difficult to continue land applications as a result of the claims.

Mr. Jones noted that the second handout is an email from the WEF, dated June 6, 2008. He noted in paragraph four, it states, "The outcome of Kern County (CA) case has the potential to have a significant impact on biosolids programs in every state, not just the Ninth Circuit, because this will be the first appellate decision on whether biosolids bans are legal under the federal Constitution." He noted that there is no saying as to what will happen, but he suggests that they will not make it illegal, but there is always a chance that they will.

Mr. Jones noted that the third handout is an article from The Patriot-News, dated June 9, 2008, quoting, "A court is expected to rule on whether a Schuylkill County community has the

right to prohibit the use of human sewage as fertilizer on agricultural land, a practice that some critics believe can be harmful- and even lethal- to people.” He quoted, “Residents wanted the ordinance out of concern for their health. Two Pennsylvania families each have blamed the death of one of their children on contact with sludge in farm fields. Others around the country have blamed it for illnesses.” He noted that he is not saying that there is anything valid with those claims, but they do exist and it is now in the court system. He noted that for the municipalities that land apply now; it is a smart thing to continue to do at this point. However, to start land applying at this point does not seem to be sensible. He noted that one of the facilities, in the area, had a state-of-the-art lime stabilization facility built ten years ago, and they are now doing away with it. He noted that he was told by the superintendent that lime sludge is very odorous, people gag when they walk into the building, the smell gets in their clothes and hair, the lime dust is everywhere, it is extremely labor intensive for maintenance and cleaning. He noted that the operators hate the lime, the system is ten years old, and everything had to be replaced. He noted that the lime tears the equipment apart, and constantly needs parts replaced, it adds volume to the solids that must be disposed of, clogs up liquids lines and ventilation systems, and the landscapers will not use it because the PH level is too high, therefore, it has limited land application uses. He noted that he had worked at two facilities that used lime, and he would echo the previously mentioned opinions.

Mr. Jones noted that anything a municipality does with Class A and Class B sludge biosolids is highly regulated. He suggested that it would become more regulated in the future. He explained that the end product is 15% biosolids, 5% lime, and 80% water. He noted that the odor from the lime sludge is horrible, and it could create a potential for bad publicity. He noted that the application sites must be permitted, and they are becoming less available. He noted that the disposal of those solids is weather dependent, noting that they cannot be applied to a wet field. He noted that DEP requires a 90-day storage facility for this process, and it would create more

traffic for the facility, noting that you would have 15% biosolids for each load, in addition to the lime that must be brought in. He noted that the process is much more labor intensive, and involves much administrative and permitting work.

Mr. Jones noted if the STA would choose to use this option, it would need a new dewatering building, the construction of a solids handling building and ancillary equipment to address the dewatering of solids. He would need storage for the lime and movement equipment to get the biosolids to a storage facility, and into the trucks, in addition to the liability concerns.

Mr. Jones noted that many facilities in the area dispose Class B biosolids, noting that there is a low amount of pathogens in that product that can be placed on farm fields. He noted that restrictions as to where it may be placed are very tough. He noted that Class A biosolids must have no detectable pathogens, but it must be permitted and there are restrictions as to where it can be placed. He noted that Class A dryer technology results in an Exception Quality (EQ) rating, and there are no restrictions on the end product. He noted that a Class A-EQ product could be put on the plants in a resident's yard or in Township parks, and it is extremely safe. He noted that there are no restrictions for the end product, and the end product is 90% to 95% biosolids and 5% water with no chemicals added to it. He noted that it is not a weather dependant land application, and a small silo could hold 20 to 30 days of end product. He noted that there are no application sites to permit, less manpower to operate the facility, easier to haul, and if there is a spill, it would just be swept up, as it is not considered a hazardous spill. He noted that there are some odors at the facility in the drying process; basically being the same as a commercial fertilizer found in a bag.

Mr. Jones noted that the dryer that the STA is looking to purchase is a good dryer, not very expensive, and simple to operate. He noted that there are two Fenton dryers in this part of Pennsylvania, and he spoke with the operator of one of those facilities that has been in operation for more than two years, and was told that they have given away 100% of their product to

residents. He noted that they put the end product in seven pound zip lock bags and the residents and farmers pick it up. In addition, he explained that they are not required to keep track of where it goes.

Mr. Jones noted that the facility in Chalfont Pennsylvania is working a deal with a cement factory to use the end product for fuel. He noted that Derry Township installed a Comline Dryer, and it has been in operation for a year, noting that they also sell their end product.

Mr. Jones noted that as users, the Township's number one concern is costs, and as the operators, cost is also very important to the Swatara Township, in addition to the burden of picking the equipment and process to use, operating it, and maintaining it. In addition, he must be concerned about the health and safety of the workforce, the attitude of the workforce, and health and safety of the public, potential of bad publicity, and odors. He noted that the application of the sludge is weather dependent, and if the odors are horrible, the adjoining neighbors to the farms would not be happy.

Mr. Jones explained that in February 2008, there is a joint users meeting, at which time he reported that SWT would be putting a dryer in the facility. He noted that this had been discussed at previous meetings for the past three years. He explained that he provided DEP in June 2007, the projected timeline for building the facility. He noted that the water quality application must be received by DEP this month. He explained that in order to comply with the permit, the contract must be awarded by March of next year, the bid requests must be out by October of this year.

Mr. Morrison noted that included in the packet was the information presented to Hummelstown Borough that was then sent to all the municipalities in response to CET questions in regards to the biosolids dryer system. He noted that CET may not have been aware that the existing dewatering equipment at STA is insufficient to meet the demands of the proposed

treatment process as it creates more sludge. He noted that a facility would need to be built to house the equipment, and although CET suggested waiting to add the dryer at a later date, he was concerned that it would split the project into two pieces, and if the dryer were added later, the building may not be built to accommodate the system.

Mr. Morrison noted that Mr. Jones mentioned that DEP does recommend approximately 90 days of storage should the product be land applied, noting that no contractor would have the off-site storage available, resulting in STA having to build a facility that would provide the storage. He noted that he provided pricing with and without storage facilities. He explained that most facilities are looking to install a dryer, noting that it is becoming more common to use this method. He noted that those facilities have been able to dispose of their solids at no cost. He explained that he has not studied every possibility, but stated that there are companies that are willing to use the end product for various uses.

Mr. Hornung questioned at what temperature the dryer need to reach to produce the final product. Mr. Morrison answered that the dryer would reach between 300 and 400 degrees. He noted that it would include a boiler and a thermo-fluid method to send to the dryer or another option would be steam. He noted that STA has chosen to use the thermo-fluid method. Mr. Hornung questioned if there are any air pollution problems associated with the process. Mr. Morrison answered that there is a scrubber on the discharge that captures particulate materials, and an odor control device to improve the discharge of odor. He noted that the SWT Plant uses a centrifuge and an incinerator, but when the regulations changed to require significant monitoring equipment for the incinerator, he completed a study and determined that it would cost over \$1 million just for the monitoring equipment. He noted that the incinerator would not meet the new requirements, and it would mean that the incinerator would need to be replaced. He noted that their facility is too small for an incinerator, as they are better suited for use at larger plants. He noted that he proposed a dewatering system using a centrifuge which takes the original sludge

which might be 1% of 2% solids, and runs it up to 18% to 20% solids, and then it is dried at this level. He noted that incineration burns the material and combusts the carbon, and the drying is just a matter of dehydration. He noted that the new system would reduce the number of weekly trucks taking the end product from the plant down from five trucks to one truck. He noted that the end product is much more acceptable.

Mr. Hornung questioned how long it takes to kill the pathogens. Mr. Morrison answered that there is a time and temperature variance, noting that the process would hold the material at a certain temperature for 30 minutes and then the material is considered pasteurized. He noted that he is not trying to meet that limit, rather he is looking for 90% solids and 10% water, resulting in an exception quality product. He suggested that the temperature is almost high enough to kill everything in it.

Mr. Seeds questioned if the process is completely safe using the dryer method. Mr. Morrison answered yes. Mr. Seeds questioned if he could bring the product home and put it in his garden and it would be safe. Mr. Morrison explained that the organisms have been destroyed.

Mr. Seeds questioned what the projections for running the dryer equipment are. Mr. Morrison answered that with a solid disposal at 6.3 MGD, it would cost \$800,000 a year to run the entire facilities to include manpower. He noted that any process that is installed would be expensive. He noted that in the next few years the cost of electricity will increase with the deregulation.

Mr. Seeds questioned if he had thought of extracting the methane and using it to reheat the sludge. Mr. Morrison answered that that process is only done under anaerobic conditions. He noted that it results in a very dirty sludge and there is a lot of other gas that is found other than methane. He noted that it is not worth the money since the gas must be cleaned and it must be stored. He noted that he has no seen one of those systems that worked well. Mr. Seeds noted that some facilities use the methane process with a propane backup system. Mr. Morrison noted that

an anaerobic digester must be heated to 95 degrees, and they will use the gas to heat the sludge for that digester, but he did not think it would produce enough to service a dryer.

Mr. Jones noted that Derry Township is trying to use this system, but they already had an anaerobic digester. He noted that he did not know if the using the methane as a fuel is working. He noted if STA would build an anaerobic digester, it would not pay for itself.

Mr. Seeds noted that this decision has already been made, and the representatives from the STA are present as a courtesy to advise the Authority members of its intentions. Mr. Spare noted that he has been looking at this process for more than five year. Mr. Seeds noted that Mr. Spare does not need the permission of the Authority members to move ahead. Mr. Spare noted that he is present to explain his thought process, and noted that it is a lot of money, adding that there are the Chesapeake Bay Tributary concerns as well.

Mr. Jones noted that he did receive a communication from the Authority members that they were not happy with STA's decision to go with the dryer. Mr. Seeds noted that they respect CET's input into the decision. Mr. Spare noted that they provided very good input into the process.

Mr. Hornung questioned if Ms. Reese agreed that it would cost an extra \$150,000 a year to use the dryer system versus the wet sludge disposal. Mr. Morrison answered, when he added the costs for the lime for the lime stabilization it came out to a little more than the dryer costs. He noted that both processes are very competitive, and not grossly different in costs to operate. Mr. Hornung questioned if you had to use lime to stabilize the end product. Mr. Morrison answered that it would not be necessary with the dryer process, but he was considering an alternative proposed by CET of lime stabilization. He noted that the equipment is less expensive, but if you have to build storage, and after weighing all the options there was not enough of a difference to make them change their minds to end up with an end product that was an Exceptional Quality product.

Ms. Reese noted that Mr. Wendle was unable to attend the meeting due to personal reasons. She noted that she wanted to clarify the memo that was written in response to the dryer option that was written by Mr. Wendle. She noted that she was not tasked by staff to complete an alternative evaluation, but was providing the Authority with an example of another choice, and tried to point out what the alternative evaluations were. She noted that there are other ways to reach Class A level without the dryer system. She noted that Mr. Wendle was unable to project what the fuel costs would be as the cost of gas will rise in the future. She noted that there are a lot of advantages to Class A, but Class B has typically been the most cost effective product. She noted that eventually, there would not be enough farmland to place the finished materials. She explained that that is where Mr. Wendle was coming from on his evaluation.

Mr. Hornung questioned if an evaluation was completed on possible alternatives. Mr. Jones answered that the Authority looked at alternatives, but he did not lay out on paper the actual costs comparison of A, B, C, and D. He noted that he had made the criteria decision, early on, that they wanted a Class A-EQ end product. He noted that the currently facility does not have a digestion process, and to build one would cost millions of dollars. He noted that it would still need a dryer to get to the EQ process. He noted that the construction of an anaerobic or aerobic digester process far out weighs the costs my millions. He noted that the process was also selected on the familiarity of the staff with that conceptional design. He noted that they used to use incineration, but now they will be using a de-watering process and drying. He noted that staff was familiar with centrifuges, noting that they currently have 110% capacity.

Mr. Jones noted that one of the criteria that were used to base their decision was that they did not want to have to rely on land applications, noting that they have never used a land application since the plant was started. He noted that there are very few land alternatives that do not use land applications. Mr. Weaver noted that the STA Plant has never used a land application and they have no digestion system. He noted that 90% of the plants are still land applying

because they have been doing it since the beginning of time, and it has never been proven that it is harmful to the public. He noted that the public perception is not always reality. He noted that it is being translated to the Swatara Township Authority that land applications are bad, but he questioned where the facility would be ten years from now. He noted that Class B may still be an option, but it may not be the best fit for Swatara Township.

Mr. Weaver noted that he asked Mr. Morrison if there was some type of linear relationship between drying something and hauling it, because if you don't dry it you have to haul it to a landfill. Mr. Jones noted in 2002, they would have had to invest over \$1 million in monitoring equipment, and the incinerator was 30 years old, therefore, they have been landfilling the end product. Mr. Hornung questioned Mr. Weaver if he agreed with the decision that was reached. Mr. Weaver answered absolutely, however, he had a question when it was determined that it was cheaper to dry the material than to haul it. Mr. Jones noted that it would be hard to predict the costs as diesel fuel is now \$5 a gallon, and it would depend on the distance to a landfill. He explained that he is down to one landfill that is willing to accept the sludge, and the next closest one is 60 miles away, therefore it was easy to decide to put in a dryer.

Mr. Hornung questioned why the Township did not get involved until the eleventh hour. Mr. Jones explained that this has been reported to the Township for the past three years. Mr. Hornung noted that the Township knew of the plan to design and make changes.

Mr. Wolfe questioned if they could develop a product that could be used as an incinerator product. Mr. Morrison noted that it is possible, but the facility is so small that it would still need to meet the same air quality controls, and selling the end product to a large cement plant would be good as it already has the air quality controls in operation. He noted that he would need such an elaborate system to control the exhaust. Mr. Jones noted that there are no studies to show how much diesel fuel, natural gas or electricity are going to cost in ten years.

Mr. Seeds questioned if STA would be able to sell the sludge. Mr. Jones stated that he hoped they would be able to do this, but it has not been calculated into the costs. Mr. Seeds questioned if there would be a market for it in years to come. Mr. Jones explained that if they sell the sludge, they would have to package it and guarantee the quality as a soil supplement; therefore, they would be happy to give it away. Mr. Seeds questioned if the Township would be able to get the dried sludge. Mr. Jones noted that they would be permitted to use some of it.

Ms. Reese introduced Kevin Shannon, an employee of CET who has been very involved in the replacement contracts that are moving forward in the Township.

### **Old Business**

#### **Replacement of sewers as part of the Colonial Road improvement project and PC3B**

Mr. Weaver distributed a map of the PC3B basin, as well as providing a memo to the Board members to supply background information for the Board. He noted that Triple Crown Corporation (TCC) met with the Township to develop Resolution 97-03, and a subsequent agreement, where it provides that Lower Paxton, at its cost, would relocate the sanitary sewer. Mr. Wolfe noted that this is for the Stray Winds Farm roadway improvement for Colonial and McIntosh Roads. He noted that the blue lines on the map are the McIntosh Road lines that are going to need to be replaced because TCC is redoing the road. Mr. Weaver noted that TCC's price to do the project was very high. He noted that in the meantime, the Township experienced a March 5, 2008 event, and staff found significant leaks in PC3B. He noted that during their action meeting to discuss alternatives, they reviewed the corrective action plan that DEP has verbally approved but has not formally approved, and within the plan it provides that the Township, over a five-year period looked at salvaging the costs of PC3B to try to reduce the flows. He noted that there was an alternative to replace sections within the development, where significant leaks have been identified. He noted that it was found that there are not many under-slab issues for this area,

and it is staff's suggestion that the Township could do a mini-mini-basin in Colonial Crest and do the work for TCC and have some significant results.

Mr. Weaver suggested that TCC may come back with a better price for the work. Mr. Seeds questioned if Mr. Weaver had an engineers estimate on the project. Mr. Weaver noted that since LPTA is doing many sewer replacement projects, he reviewed a current contract to figure the pricing for the work. Mr. Seeds questioned who the Sewer Authority would be paying for the work. Mr. Weaver answered that TCC's contractor was Horst, and their cost for the work was \$380,000. Mr. Seeds suggested that Mr. Weaver should get someone else to do the work. Mr. Weaver noted that he is asking for the Board's approval to bid the work. He noted that if he bids the project to include the Colonial Road work, which the Township is committed to do, as an alternate, he could inform TCC that there are benefits to have the Township do the work, and provide them with a price to do the work. He noted that he would have to coordinate the project with TCC or bury the sewer and fix it when TCC comes through. He noted that he has the money in the fund to do the project, noting that there would be a change that it would not be constructed until next year.

Mr. Wolfe questioned what the difference was between the yellow and the green lines. Ms. Reese answered that the original thought when making improvements in the PC3B was to do the lowest area around the lake. She noted that the yellow area has expanded because of the wet weather investigation work that was done. She explained that the green markings concern issues with the angle of the lines coming in, and it would entail correcting issues that are in the sewer line. She noted that the area for the green line at the top of the map concerns where the I&I is coming from and she wanted to look at it further before doing all the improvements.

Mr. Freedman distributed an estimate for the work for the yellow, blue and green sections.

Mr. Weaver noted that he was providing the information to the Authority members, noting that he would proceed with design and no action is required at this time. He noted that TCC was pressuring the Township to do something, but there isn't any hurry since TCC would not complete the project for another two years. He suggested that the Township would be a year ahead of TCC's Phase 2, when this work would be completed.

Ms. Reese noted that improvements to PC3B are designed and ready to go, but she needed further direction to include these additional areas. Mr. Hornung questioned if the yellow areas were televised. Mr. Weaver answered yes. Mr. Wetzel noted that they were televised during a wet weather condition. Mr. Weaver questioned if he has the authorization to proceed with the design. Mr. Hornung questioned if he had an estimate of cost per gallon. Mr. Weaver suggested that the total cost would be \$1.5 million. Mr. Wolfe noted that the cost includes the Colonial Road portion of the work for road re-construction; therefore, you could not use the \$1.5 million to compute the costs per gallon. Ms. Reese noted if she could get down to 1,500 gallons per day per EDU, at \$700,000 it would be \$2 per gallon. She noted that she is aiming for 1,000 gallons per day. Mr. Weaver suggested that the costs would be between \$2.50 to \$ 3 per gallon.

#### Review of the Beaver Creek CAP with respect to changing conditions

Mr. Wolfe requested to hold this item until the next meeting to discuss with Mr. Wendle.

#### Approval of the Arondale Sewer System

Mr. Weaver explained that Steve Millard, Chairman of the West Hanover Township Water and Sewer Authority (WSTWSA) approached Yingst Homes and told them that they have capacity in the joint use interceptor and suggested that they take their development into Lower Paxton Township. He explained that this was the original intent of the agreement that he provided to the Authority members. He noted that there were three tracts of ground that John Hall owned, two have been developed, and the Township operates and maintains those sewers and bills the customers directly. He explained that he thought that Arondale, the third tract,

would be coming into the Township's system, and he found out that there was a Planning Module filed with West Hanover Township. He noted that he never received a notification from STA that they had the capacity. He explained that he would have to receive confirmation from STA that they changed their mind, request that LPT take the Arondale development, and make it the Township's customer, with the understanding that WHT would take it back very shortly once all the negotiations with LPT and WHT are completed. He noted that he had a problem in that WHT would be getting the new customers, and stick the Township with the old customers. Mr. Hornung noted that he did not see anything good coming out of this. Mr. Weaver noted that WHT's accepting Arondale as customers would violate the agreement. He noted that the agreement states that they must provide notice to the Township, which they didn't, and when they do provide notice, they would have to take back the sewer system, noting that it does not allow for a partial take back, as they only requested the Arondale development. He noted that the agreement provides that when WHT takes customers back, that the Township would provide the transmission fee, and the flow would go to STA. He noted that there was a lot of discussion that should have been had before they did this.

Mr. Seeds questioned where the Township would get the permits as it is limited in the number of permits it has. Mr. Weaver noted that the Township has the permits as the Beaver Creek development has slowed to a crawl, and since Springford Village is completed, it has 168 permits per year, and currently, only 40 to 50 permits are issued each year. He noted that there is an old agreement that states that they are allowed connections at \$150 per unit, and suggested that this is not good. Mr. Weaver noted that the positive aspect is that the Township can bill the customers on a temporary basis. He noted if the Township can receive its tapping fees, and bill and keep all the customers, it would be great. He noted if WHT agrees to take them back, and not just Arondale, he would not want to give away a new development. Mr. Hornung suggested that they would want the tapping fees when the Township gives those customers back. Mr. Stine

noted that it was mentioned in the letter, but he did not think the agreement provided for that. He noted that the Township does not own the system; it just operates and maintains it. He noted that the agreement does not address the issue of tapping fees.

Mr. Weaver suggested that CET could come up with a tapping fee that would be just for that development. Mr. Stine questioned if the Township could charge a tapping fee if it does not own the system. Mr. Weaver noted that it was provided for in the agreement. Mr. Stine noted that he understood that, but it did not make sense. Mr. Weaver noted that the Township would continue to receive the sewer rentals. Mr. Stine noted that the law has changed since the agreement was made, and he explained that the tapping fees are calculated on a system that the Township owns, but he did not think, under the Authorities Act, it could charge a tapping fee on a system it does not own. Mr. Weaver suggested that it would come down to Mr. Yingst, and he would want to do what is most profitable for him. Mr. Seeds noted that Mr. Yingst wants to send the sewage to the Township so he would not have to build a pumping station.

Mr. Hornung noted that he would recommend that the Township not do it. He noted that it would take a lot of time to sit down and negotiate an agreement, and eventually negotiate a different agreement trying to settle the issue of tapping fees. He suggested that the Township has too many other things to focus its attention on. He suggested that Mr. Yingst should have the property, and he should be made to build it over there, and take their own sewage. He noted that he did not want the system going to STA because when the nitrate requirements come into affect, then it would make the Township's problem more costly. Mr. Weaver noted that he agreed with Mr. Hornung 100%. Mr. Wolfe noted that the Township would be hearing from Mr. Yingst.

Mr. Weaver requested permission to have Mr. Stine read and respond to Mr. Rimer's letter. Mr. Hornung noted that he had no problem with that, but he did not want the Township to go to a lot of effort to receive a few dollars. Mr. Stine noted that the agreement is still in force.

Mr. Weaver noted that CET will explain, at the next meeting, the issue of buying West Hanover Township's capacity as another alternative, and if done, this issue would go away because they would be the Township's customers. Mr. Hornung noted that the Township would have to get into negotiations about the worth of that capacity. He noted that the Township has had trouble with that before, and he noted that he likes it the way it is as they have capacity that they cannot use. Mr. Hornung noted that the more sewage going to the STA, the more the costs will go up expedientially to meet at the requirements of the Environment Protection Agency (EPA). He suggested that it would be good to reduce the amount of flow to STA.

Paxton Creek 2007 Decision/Second Paxton Creek Corrective Action Plan

Mr. Weaver noted that the Township has a consent decree amendment that Mr. Stine prepared and sent to DEP, and an annul report that CET would provide, at another meeting, as part of the consent order in August, and as part of that he also has a corrective action plan (CAP) that DEP verbally approved. He noted that the City of Harrisburg has meet with the Township to review CET's concern that they found that during peak flows during certain events, that the Paxton Creek hydraulic capacity is not nearly what it was thought to be. He noted that one concern was how the Township could enter into an agreement with the State, and have a Board executed consent decree amendment when it was not what was proposed. He noted that the decree states that the Township is getting down to 10.57 MGD. He suggested that the Township may not have that capacity. He noted that the Township was told that they are not guaranteed any capacity in the City system. He noted that there were recommendations made on their end that the Township could look at that could be causing the problems.

Mr. Weaver noted that Mr. Wendle pointed out to the City of Harrisburg staff that when the Paxton Creek overflows, it shuts the tide gates and the combined sewer overflows (CSO) are not discharging out of the Paxton Creek. He noted that Wildwood Lake, which was a flood control device many moons ago, has not been used recently for flood control. He noted that the

City of Harrisburg has hired Skelly and Loy, through Dauphin County, for a contract to build a sluice gate to start using the Lake as a flood controlled device. Mr. Weaver noted that the American Lotus was previously listed as an endangered species, and has since been removed from the list. He noted that Noah Falk is working on this project in terms of looking at using the ultimate capacity within the lake, and dredging it in the future. He noted that there is no guarantee that this issue will go away. Mr. Wolfe noted that the more significant issue is that regardless of what is done to alleviate the problem there is no guaranteed capacity for the Paxton Creek Interceptor in the mind of the City. Mr. Seeds noted that the Township has 14 million gallons, and the City of Harrisburg said the Township had nothing. Mr. Stine noted that the way the agreement was written many years ago stated that the Township was to discharge all of its sewage in the Paxton Creek basin to the City of Harrisburg, but they have the ability to limit it based upon sound engineering practices. He noted that the agreement does not list a specific amount of capacity. He noted that it also states that it does not want any I&I too. He noted that it further states that at certain times, it could limit the Township's capacity, based upon sound engineering practices.

Ms. Reese noted that several years before that, the Township received a Part II Permit for the Interceptor that had the capacity in it, that we don't have right now. She noted that the engineers would argue that good sound engineering principals is at least what you design for what you get permitted.

Mr. Seeds noted that they have been complained that Wildwood Lake did not have enough water, so why aren't they fully utilizing it. Mr. Weaver explained that the American Lotus could only survive under 18 inches of water, but now it is not an endangered species. Mr. Wolfe noted that it is important that the Township's plan of action be based upon a certain capacity in the interceptor. He noted that the Township has been told that it may not have that capacity which makes the entire plan of action null and void. He noted that he does not have an

answer for this, but is continuing with the investigation. Ms. Reese noted that while the basin backs up at 9.5 MGD, and the pressure starts to build, you have a higher velocity through the line, so you can get higher flow rates through the lines if it can back upward. She noted that she is looking in the area of the lower manholes where it first starts to overflow, to create more head to push more through. She noted that it still leaves a big unknown for capacity.

Mr. Hornung questioned if Ms. Reese's plan is to bolt the manhole covers. Ms. Reese noted that she would raise the manholes up. She noted that Mr. Whittle has started to look at that possibility of doing this. Mr. Weaver noted that the City of Harrisburg skims by with its CSO Control Plan as they made a great presentation to DEP and DEP accepted it, therefore, the City of Harrisburg can discharge the CSO into the stream but the tide gates aren't allowing them to do that. He noted that he hopes that this issue can be resolved.

Mr. Weaver noted that he needs direction from DEP to tell us what to do. Mr. Wolfe note that the Township will have to talk to DEP about this. Mr. Hawk questioned how the Township could do a corrective action plan without knowing the target. Mr. Wolfe noted that the argument is not in the Township's favor. Mr. Wolfe noted that he has asked bond counsel to weigh in on the matter. Ms. Reese noted that Mr. Wendle has written a draft letter to bond counsel that basically helps to identify this. Mr. Stine noted that the latest agreement was signed in the 1960's, and they were done differently.

Mr. Weaver noted that staff, Mr. Stine, and Mr. Wendle have reviewed the management agreement and found that every two weeks there are decisions that need to be made by the Authority members for policy decisions. He suggested that the Board may not have to meet at the Authority level, especially since the Board members are the same, they have the power to make the decisions.

Mr. Wolfe noted that the Authority has scheduled a second meeting June 17, 2008 at 5:30 p.m. to discuss additional items.

Mr. Crissman noted that the final action plan for this matter is to continue to work with bond counsel.

Mr. Blain questioned if it would be possible to meet once a month as a Sewer Authority instead of over-packing the agenda for the quarterly meetings, limiting the meeting to an hour. Mr. Wolfe noted that the problem is that the plate is fuller than the amount of Tuesdays available. He suggested that it may be better to pick an off day, possibly a Wednesday, to meet for sewage issues monthly. Mr. Blain noted that there are too many issues to throw into a late night meeting to discuss. He noted that there is not enough time put to the issues, and at this late hour, he is too tired to concentrate on the issues.

Mr. Hornung noted that there is always the option to go back to a Sewer Authority, with two supervisors as members. Mr. Blain noted that he likes the idea that the Board members are part of the sewer authority, but he would like to dedicate a certain night for meetings, or a monthly meeting. Mr. Wolfe noted that he has the Board meeting stacked with items for future meetings, would suggest another night for Sewer Authority meetings. Mr. Hornung suggested that the fourth Tuesday could be designated for Sewer meetings. Mr. Wolfe noted that he has tried to schedule an administrative meeting for a couple of months, and the Board has not had a free meeting night for quite a while. Mr. Seeds noted that he would prefer to go to a Wednesday night to provide a free Tuesday, as he can never plan to be away for a week without missing a meeting. Mr. Hornung noted he is tied up every Monday with the skateboard park. He noted that he is already away from homes many nights. Mr. Blain questioned if the Board could schedule a morning meeting, as it would help to keep the Board on task as the members have to go to work. Mr. Wolfe noted that staff would not complain about a 7 a.m. to 9 a.m. meeting. Mr. Blain suggested that most issues could be covered monthly in a one hour meeting. Mr. Hawk noted that the Authority would try to get as much done at the June 17<sup>th</sup> meeting as possible.

Mr. Weaver noted that future spending and projects required many policy decisions and input from the Authority members. Mr. Wolfe noted that a Wednesday morning meeting would work with everyone's schedules. Mr. Hawk noted that he did not want to rush through the agenda items.

Ms. Reese noted that the Second Corrective Action Plan isn't totally approved and that Mr. Weaver wanted to take advantage of the bidding environment. She noted that Valley/Winfield Road, and Lakewood Hills projects are completed; the Earl Drive project has started; the Beaver Creek Pump Station is in the process of being awarded; the Linglestown Road project bids were received yesterday; bid will be received for Trunk-A on June 25<sup>th</sup>; and PC3B was ready to go, but will be revisited; and AR-A and PC4B and PC4C will come this year. Mr. Hornung questioned if the Township received more favorable bids. Ms. Reese answered that lots of contractors are bidding; noting that CET's estimate was \$400,000 and the bid came in at \$338,000. She noted that between the times she provided the engineer's estimate and the bids were received, PVC pipe increased 30%.

### **Adjournment**

There being no further business, Mr. Blain made a motion to adjourn the meeting. Mr. Crissman seconded the motion, and the meeting adjourned at 9:42 p.m.

Respectfully submitted,

Maureen Heberle  
Recording Secretary

Approved by:

Gary A. Crissman  
Authority Secretary