

AGENDA
EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS
Tuesday, March 6, 2012

Board will meet in Executive Session from 6:15pm – 7:00pm for ABC interviews. Formal meeting will commence at 8:00pm

1. Call to Order
2. Pledge of Allegiance
3. Moment of Silence – Supervisor Carmen Battavio
4. Ask if Anyone is Recording the Meeting?
5. Public Comment – Hearing of Residents (Optional)
6. Chairman's Report
 - a. Announce the Board met in executive session on February 21, 2012 to discuss a personnel matter and prior to this meeting for ABC interviews.
7. Public Hearing - None
8. Police/EMS Reports – 3rd Tuesday
9. Financial Report – Brian McCool – 2011 Final Report
10. Old Business
 - a. Consider Iron Hill Criterion Update by Mr. Yoder
 - b. Consider Cooperative Service Agreement with Animal and Plant Health Inspection Service Wildlife Services (APHIS WS)
11. New Business
 - a. Consider credit card option for utility payments
 - b. Consider application for geothermal project loan through PA Dept. of Community & Economic Dev.
 - c. Consider Mark Gordon's memo regarding Kennel-Dog Daycare Conditional Use
 - d. Consider selection of representative for contract discussions with Thornbury
 - e. Consider Equipment Agreement
 - f. Consider Mark Miller's request for vehicle replacement
 - g. Consider Cable TV
12. Any Other Matter
13. Approval of Minutes
 - a. February 21, 2012
14. Treasurer's Report
 - a. Report – March 1, 2012
15. Review Action List
16. Correspondence, Reports of Interest
 - a. Acknowledge receipt of NPDES Permit for East Goshen Municipal Authority
 - b. Acknowledge receipt of Ridley Creek/Applebrook Golf Course Water Quality Management Permit
 - c. Acknowledge confirmation of payment from FEMA in the amount of \$17,930.59 under Public Assistance Grants
 - d. Acknowledge Health Insurance Comparison 2011 v. 2012

e. Acknowledge Notification of Conditional Use application by Camp K-9 / Dog Daycare Operation at 1303 West Chester Pike

f. Consider Clean Water Action Code and Ordinance Worksheet

17. Meetings & Dates of Importance

| | | |
|---------------------------|-------------------------------------|-----------|
| March 7, 2012 | Pension Committee | 1:00 PM |
| March 7, 2012 | Planning Commission | 7:00 PM |
| March 8, 2012 | Farmers Market | 3-5:00 PM |
| March 8, 2012 | Historical Commission | 7:00 PM |
| March 12, 2012 | Municipal Authority | 7:00 PM |
| March 14, 2012 | CDC | 7:00 PM |
| March 14, 2012 | Conservancy Board | 7:00 PM |
| March 15, 2012 | Police Commission | 8:00 AM |
| March 20, 2012 | Board of Supervisors | 7:00 PM |
| March 22, 2012 | Farmers Market | 3-5:00 PM |
| March 25, 2012 | Cherry Blossom Festival – | 8:00 AM |
| | Bus trip to Washington, DC | |
| March 26, 2012 | Last day to register before Primary | |
| March 28, 2012 | Friends of EGT 501c3 | 7:00 PM |
| March 31, 2012 | The Egg Hunt - | 10:00 AM |
| April 1, 2012 (rain date) | East Goshen Park | |

Summer 2012 Newsletter:

| | |
|--------------|----------------------|
| May 2, 2012 | Article Due Date |
| July 1, 2012 | Website Posting Date |

18. Public Comment – Hearing of Residents

19. Adjournment

The Chairperson, in his or her sole discretion, shall have the authority to rearrange the agenda in order to accommodate the needs of other board members, the public or an applicant.

10a.

Nancy Scheiderman

From: Mark Gordon [mgordon@eastgoshen.org]
Sent: Friday, March 02, 2012 9:53 AM
To: 'Mark Yoder'
Cc: rsmith@eastgoshen.org; nscheiderman@eastgoshen.org; alzuccarello; 'Senya Isayeff'
Subject: Board of Supervisors Meeting March 6, 2012 @ 7 PM

Mr. Yoder,

Just a follow-up to confirm your attendance at the Board of Supervisors meeting on Tuesday March 6, 2012 at 7 PM to update the Board on the proposal to use Enterprise Drive for the Iron Hill Criterium time trial races. Please respond to all with your availability.

Thank you,

-Mark

Mark A. Gordon, CFM

Director of Code Enforcement / Zoning Officer

East Goshen Township

1580 Paoli Pike

West Chester, PA 19380

O: 610-692-7171

F: 610-692-8950

www.eastgoshen.org

COOPERATIVE SERVICE AGREEMENT
Between
EAST GOSHEN TOWNSHIP (EGT)
and the
UNITED STATES DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE (APHIS)
WILDLIFE SERVICES (WS)

ARTICLE 1

The purpose of this agreement is to cooperate in a wildlife damage management project, as described in the Work Plan on the next page.

ARTICLE 2

APHIS WS has statutory authority under the Act of March 2, 1931 (46 Stat. 1468; 7 U.S.C.426-426b) as amended, and the Act of December 22, 1987 (101Stat. 1329-331, 7 U.S.C. 426c), to cooperate with States, local jurisdictions, individuals, public and private agencies, oEGTanizations, and institutions while conducting a program of wildlife services involving mammal and bird species that are reservoirs for zoonotic diseases, or animal species that are injurious and/or a nuisance to, among other things, agriculture, horticulture, forestry, animal husbandry, wildlife, and human health and safety.

ARTICLE 3

APHIS-WS and EGT agree:

1. APHIS-WS will provide the requested wildlife damage management services.
2. EGT will provide the U.S. Department of Agriculture the sum of \$4,999 to cover the costs as outlined in the Financial Plan. Payment will be made by check **payable to "U.S. Department of Agriculture"** by a mutually agreed upon date.
3. EGT ensures and certifies that it is not currently debarred or suspended and is free of delinquent Federal debt.
4. The monies received by APHIS-WS will be used for wildlife damage management activities and upon termination of the agreement any unexpended funds will be retained by APHIS-WS and used on similar program activities.
5. Nothing in this agreement shall prevent APHIS-WS from entering into separate agreements with any other organization or individual for the purpose of providing wildlife damage management services exclusive of those provided for under this agreement.
6. EGT certifies that APHIS WS has advised EGT that there may be private sector service providers available to provide wildlife management services that EGT is seeking from APHIS WS.
7. The performance of wildlife damage management actions by APHIS-WS under this agreement is contingent upon a determination by APHIS-WS that such actions are in compliance with the National Environmental Policy Act, Endangered Species Act, and any other applicable environmental statutes. APHIS-WS will not make a final decision to conduct requested wildlife damage management actions until it has made the determination of such compliance.

ARTICLE 4

Pursuant to Section 22, Title 41, United States Code, no member of or delegate to Congress shall be admitted to any share or part of this Agreement or to any benefit to arise therefrom.

ARTICLE 5

APHIS assumes no liability for any actions or activities conducted under this Cooperative Service Agreement except to the extent that recourse or remedies are provided by Congress under the Federal Tort Claims Act (FTCA), (28 U.S.C. 1346(b), 2401(b), and 2671-2680).

ARTICLE 6

The Agreement shall become effective April 1, 2012 and shall continue in effect until the completion or termination of the project. This Agreement may be amended or terminated at any time by mutual agreement of the parties in writing. Further, in the event that EGT does not provide necessary funds, APHIS-WS is relieved of the obligation to provide services under this agreement.

Tax Identification Number: 23-6005479

Louis F. Smith, Jr., Township Manager
East Goshen Township
1580 Paoli Pike
West Chester, PA 19380

USDA-APHIS-Wildlife Services
PO Box 60827
Harrisburg, PA 17106-0827
717-236-9541

Louis F. Smith, Jr., Township Manager

Date

State Director

Date

WORK PLAN

Introduction

The U.S. Department of Agriculture (USDA) is authorized to protect American agriculture and other resources from damage associated with wildlife. The primary authorities for Wildlife Services (WS) are the Act of March 2, 1931, as amended (46 Stat. 1468; 7 U.S.C. 426–426b) and the Act of December 22, 1987 (101 Stat. 1329–331, 7 U.S.C. 426c). Wildlife Services activities are conducted in cooperation with other Federal, State and local agencies; private oEGTanizations and individuals.

The WS program uses an Integrated Wildlife Damage Management (IWDM) approach (sometimes referred to as IPM or “Integrated Pest Management”) in which a series of methods may be used or recommended to reduce wildlife damage. IWDM is described in Chapter 1, 1–7 of the WS Program Final Environmental Impact Statement. These methods include the alteration of cultural practices as well as habitat and behavioral modification to prevent damage. However, controlling wildlife damage may require that the offending animal(s) are killed or that the populations of the offending species be reduced.

Wildlife Species: Canada geese

Description of Damage: Damage caused by Canada geese at EGT includes excessive droppings, overgrazing of landscaping and natural vegetation, noise disturbances, and threats to public drinking water supplies.

| | | | | |
|------------------|--------------|---------|-------------|-------|
| Location: | West Chester | Chester | East Goshen | PA |
| | Town | County | Township | State |

Location type (circle): Rural or Urban

Services Provided: The goal of APHIS–WS is to manage the damage caused by wildlife by implementing integrated wildlife damage management programs. EGT will continue to enforce a no feeding of waterfowl policy. EGT will be responsible for conducting harassment and deterrent strategies to reduce the presence of Canada geese on the property within the legal guidelines of the Pennsylvania Code and regulations set forth by the U.S. Fish and Wildlife Service. EGT personnel will also conduct treatment of Canada goose nests and eggs under registration with the U.S. Fish and Wildlife Service. WS professionals will also be available to provide technical assistance at the request of EGT at any time.

During summer 2012, WS will conduct two site visits to assess the local abundance of Canada geese and whether geese have molted flight feathers on the property. In consultation with EGT, WS will determine whether a population roundup is necessary. If warranted, WS will conduct a roundup and removal of up to 300 Canada geese, or 50% of the local Canada goose population. This agreement includes allotment of funding from EGT for processing of Canada geese that are removed during a roundup so that the meat will be donated for charitable food distribution.

The above WS activities are fully provided for in the PGC Bureau of Wildlife Protection (Depredation /Collecting) Permit and U.S. Fish and Wildlife Service Depredation Permit issued to the WS PA State Director. Activities will be conducted with regular and overtime hours worked as necessary to accomplish the objectives of the program.

FINANCIAL PLAN

| | |
|------------------------------|----------------|
| Personnel Costs | \$1,621 |
| Travel & Vehicle Usage | \$567 |
| Supplies & Equipment..... | \$2,116 |
| Program Support..... | \$695 |
| TOTAL | \$4,999 |

The distribution of the budget from this Financial Plan may vary as necessary to accomplish the purpose of this agreement, but may not exceed \$4,999.

Financial Point of Contact

| | | |
|-----------|----------------------------|---------------------|
| EGT: | <u>Louis F. Smith, Jr.</u> | <u>610-692-7171</u> |
| | Township Manager | Phone |
| APHIS-WS: | <u>Harris Glass</u> | <u>717-236-9451</u> |
| | State Director | Phone |

Work and Financial Plan prepared by: G. J. D'Angelo

11a

F:\Data\Shared Data\Admin Dept\Web Page\On Line Bill Paying\Credit Card and Fee Survey.xls

Memo

Date: February 27, 2012

To: Board of Supervisors

From: Nancy Scheiderman

Re: Geothermal Incentives

At Rick's request I spent 2 hours researching possible geothermal grant opportunities. As a result, I found one loan opportunity but no grant possibilities. The following summarizes the loan opportunity:

The Renewable Energy Program through the Pennsylvania Department of Community & Economic Development is still open. Geothermal Technologies, including closed loop geothermal heat pump systems that use the ground, ground water and underground mine water as an energy source are only eligible for loans, not grants. The maximum amount of any loan for a component manufacturer of renewable energy generation equipment is \$35,000 for every new job projected to be created by the business within three years after approval of the loan.

Eligible uses of funds:

- Acquisition of land and buildings, rights-of-way, and easements necessary to construct an eligible project.
- The clearing and preparation of the land necessary to construct an eligible project.
- Construction or renovation of a building that will be used to manufacture components of geothermal system.
- The purchase and installation of equipment used for the manufacturing of geothermal system.
- The purchase, installation, and construction of energy facilities that generate or distribute geothermal energy.

The maximum loan amount for a geothermal system will not exceed \$3 per square foot of the space to be served by the system or \$5 million, whichever is less.

Loans will be repaid over a period not to exceed 10 years for equipment (including a geothermal system).

Loans are generally available at a fixed interest rate for terms of up to 10 years (equipment) or 15 years (real estate). Interest rates are set at 1% for geothermal projects.

All loans are to be secured by a lien on the asset financed. The Financing Authority may require additional security as necessary, including but not limited to, a pledge of additional assets or securities or dedicated revenues.

The Commonwealth Financing Authority charges a \$100 non-refundable application fee for Renewable Energy Program applications. Application fee is due at the time of submission. There is a commitment fee of 1% of all approved loan amounts capped at \$10,000.

Does the Board want to pursue a loan application for a geothermal project?

11c

Memorandum

East Goshen Township
1580 Paoli Pike
West Chester, PA 19380
Voice: 610-692-7171
Fax: 610-692-8950
E-mail: mgordon@eastgoshen.org

Date: 3/1/2012
To: Board of Supervisors
From: Mark Gordon, Township Zoning Officer *mlg*
Re: **1303 West Chester Pike / Kennel - Dog Daycare Conditional Use**

Board Members,

The Township has received an application for Conditional Use Approval for a Kennel / Dog Daycare use at 1303 West Chester Pike, formerly the Benjamin Moore Paint Store. I have scheduled the hearing for April 17, 2012; however one the applicant's experts cannot attend on April 17th.

Will the Board consider convening on Tuesday April 24th to continue and most likely conclude the hearing for this applicant?

11e

Memo
East Goshen Township
1580 Paoli Pike
West Chester, PA 19380

Voice (610) 692-7171

Fax (610) 425-8950

E-mail rsmith@eastgoshen.org

Date: March 2, 2012

To: Board of Supervisors

From: Rick Smith, Township Manager

Re: Equipment Agreement

At their meeting on March 1, 2012 the WCACOG approved issuance of the attached agreement. The purpose of the agreement is to formalize the current practice of the sharing of equipment between municipalities. As you might expect this type of arrangement benefits use since we do not need to expend funds to rent something.

I drafted the agreement and it was reviewed by the Township Solicitor.

Recommended Motion: I move that we authorize the Chairman to execute the Equipment Agreement.

EQUIPMENT AGREEMENT

WHEREAS, on or about March 4, 2003 the Chairman of the Board of Supervisors of East Goshen Township, East Bradford Township, West Goshen Township, Westtown Township, Thornbury Township and the President of the West Chester Borough Council entered into an Intergovernmental Cooperation Agreement to Create the West Chester Area Council of Governments (hereinafter the "WCACOG Agreement"); and

WHEREAS, pursuant to Section 2. G of the WCACOG Agreement East Goshen Township, East Bradford Township, West Goshen Township, Westtown Township, Thornbury Township and West Chester Borough (hereinafter the "Members") are authorized to perform other activities as the Members may mutually agree upon; and

WHEREAS, the Members executing this agreement agree that it is in their best interest to permit the sharing and loaning (hereinafter the "Loaning, Loan or Loans") of vehicles and equipment (hereinafter the "Equipment") between Members; and

WHEREAS, these Members agree that the purpose of this initiative is to provide better service to their respective residents and not to generate income for their municipality.

NOW THEREFORE, intending to be legally bound, the Members executing this agreement agree as follows:

The Members agree that decisions regarding what Equipment should be Loaned should be left to the discretion of the Township Manager or Borough Manager (with input from their respective Director of Public Works or Road Foreman as applicable).

The Member who owns the Equipment shall be responsible for maintaining insurance coverage on the Equipment at all times.

The Member who owns the Equipment shall, in their sole discretion, decide if they want to Loan a specific piece of Equipment and when the Equipment is available.

The Member who receives the Equipment shall be responsible for returning the Equipment in the condition in which it was received.

The Member who owns the Equipment shall, in their sole discretion, decide if they want to require that their employee operate the Equipment when they Loan it to another Member.

If a Member who owns the Equipment has determined that they want their employee to operate their Equipment, that Member shall be responsible for maintaining Workers Compensation insurance for their employee.

A Member who Loans their Equipment to another Member does so with the understanding that they will not be compensated financially, but rather that the Member who is borrowing the Equipment will in turn Loan the first Member a piece of their Equipment at some time in the future.

It is expected that each of the Members will maintain a tally sheet keeping track of the Equipment they shared and the Equipment that they received from other Members.

The Members recognize and agree that this type of arrangement, while not perfect, can be mutually beneficial to all Members who participate.

This agreement shall be effective for each Member on the date signed by an authorized representative of the Member.

A Member shall have the right to terminate their involvement in this project at any time and for any reason.

East Goshen Township

Date

West Goshen Township

Date

East Bradford Township

Date

Westtown Township

Date

West Chester Borough

Date

Thornbury Township

Date

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BOARD OF SUPERVISORS
EAST GOSHEN TOWNSHIP
CHESTER COUNTY
1580 PAOLI PIKE, WEST CHESTER, PA 19380-6199

March 2, 2012

To: Board of Supervisors

From: Mark Miller


RE: Vehicle Replacement

The Public Works Department is scheduled to replace a truck in 2012; the vehicle scheduled for replacement has over 100,000 miles on it. The body and main components of the truck are in very bad shape. I have attached pictures showing rusted out cross members and body parts. The plow frame is broken in a couple of places and the plow itself is worn out. The cost to replace the truck would be \$38,773.00.

The second vehicle due for replacement is the Ford Ranger from the Code Department. This vehicle was scheduled to be replaced in 2010 however, it was decided at that time to defer. The vehicle is in need of some engine repairs, with the amount of repairs and the age of the vehicle we would be better off trading the vehicle in. The cost to replace the vehicle would be \$23,873.38. Both vehicles would be purchased on the state Costars Program.

Body cross members
rusted out






Frame and cross member for
cab, broke and rotted out.

Body and frame shackles
rotted out





Plow frame brackets welds broke.
Holes are egg shaped.



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Memo
East Goshen Township
1580 Paoli Pike
West Chester, PA 19380

Voice (610) 692-7171

Fax (610) 425-8950

E-mail rsmith@eastgoshen.org

Date: March 2, 2012

To: Board of Supervisors

From: Rick Smith, Township Manager

Re: Cable TV

A representative from the West Chester Area School District attended the WCACOG meeting last evening and requested that the District be able use the cable TV educational channel. She advised that the Superintendent was looking into the possibility of putting School Board meetings on cable TV.

The Township's franchise agreement with Verizon stipulates that they provide the Township with one dedicated educational channel, one public access channel and one government access channel. As you know the WCACOG negotiated this agreement with Verizon, and all of the WCACOG members' agreements have a similar provision.

West Chester Borough has advised Verizon that they want to activate their educational channel and they have entered into an agreement with West Chester University to provide educational programming for the channel. The Borough has also initiated discussions with Comcast, but has not reached an agreement on this issue.

The WCACOG members agreed that the Districts concept had merit and it was suggested that each member advise Verizon that:

1. They wanted to activate their educational channel, and
2. They wanted to "piggy back" on the channel activated by West Chester Borough, and
3. They have delegated the functions of content, scheduling and administration of the educational channel to West Chester University, and
4. That the West Chester Area School District be able to provide content.

If you concur the following motion would be appropriate

I move that we advise Verizon that:

- 1. We want to activate our educational channel, and**
- 2. We want to "piggy back" on the channel activated by West Chester Borough, and**
- 3. We have delegated the functions of content, scheduling and administration of the educational channel to West Chester University, and**
- 4. The West Chester Area School District is able to provide content.**

13a

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS MEETING
1580 PAOLI PIKE
February 21, 2012 – 6:00pm
Draft Minutes**

Present: Chairman Senya D. Isayeff, Vice-Chairman Thom Clapper, and Supervisors Marty Shane, Carmen Battavio and Chuck Proctor. Also present were Township Manager Rick Smith, Kathryn Yahraes (Historical Commission), and State Rep. Dan Truitt.

Executive Session

The Board met in Executive Session from 6:00pm until 8:00pm to interview ABC candidates.

Call to Order & Pledge of Allegiance

Senya called the meeting to order at 8:05pm and lead everyone in the Pledge of Allegiance.

Moment of Silence

Carmen called for a moment of silence to honor the troops.

Recording of Meeting

No one indicated they would be recording the meeting.

Public Comment on Non-Agenda Items

None.

Chairman's Report

Senya announced that the Board met in Executive Session on February 7 to discuss a personnel matter. They also met in Executive Session earlier this evening to interview ABC candidates. Senya announced that the ABC appointments scheduled to be announced this evening will be announced on March 6 instead.

Police Report

Sgt. Rick Gorman reported there were 565 calls for service from East Goshen in January. Senya recommended that WEGO consider imposing a fine for repeated 911 hang-up calls that are caused due to a computer malfunction.

Malvern Fire Company

Neil Vaughn, Fire Chief at the Malvern Fire Company, introduced himself and gave a monthly report of his company's activities for January. He thanked East Goshen's Department of Public Works for their assistance in closing a road during a recent fire event.

ABC Educational Program

Thom and Chuck will work with Rick to develop this program.

1 **Geese Removal**

2 Thom said if it's possible to get the geese "processed" for free and the meat can be donated to
3 local food banks, he would like the Township to consider having employees round up the geese.
4 Rick noted there would still be up-front costs involved and the employees would have to be
5 licensed. This matter was tabled until March 6 so Rick can do more research and confer with
6 Mark Miller.
7

8 **Signage at Intersection of E. Boot Road and N. Chester Road**

9 The Board discussed putting additional signage at this intersection, but no motion was made and
10 no action taken.
11

12 **Mowing Agreement with PennDOT for 2012 Season**

13 After some discussion, Thom moved to authorize Rick Smith to execute the mowing agreement
14 with PennDOT for 2012 and the accompanying resolution. Marty seconded the motion. There
15 was no further discussion and no public comment. The Board voted unanimously to approve the
16 motion.
17

18 **Bid Award – Cleaning & Televising of Sanitary Sewer Lines**

19 The following bids were received for cleaning and televising of sanitary sewer lines:

| | |
|---------------------------------------|----------|
| 20 Pipe Data View Services | \$13,000 |
| 21 Pipe Services Corp. | \$20,900 |
| 22 Sewer Specialty Services Co., Inc. | \$28,350 |
| 23 General Sewer Services, Inc. | \$30,000 |
| 24 Cleaver Cable Constr., Inc. | \$30,600 |
| 25 DeAngelo Brothers | \$39,645 |
| 26 Tri-State Grouting, LLC | \$46,200 |
| 27 Video Pipe Services, Inc. | \$47,750 |
| 28 Utility Services Group, Inc. | \$56,500 |
| 29 US Environmental, Inc. | \$57,500 |
| 30 Mr. Rehab, Inc. | \$59,900 |

31

32 Rick said the Township has used Pipe Data View Services for several years and has been happy
33 with their work. Carmen moved to award the bid for cleaning and televising of sanitary sewer
34 lines to Pipe Data View Services in the amount of \$13,000 per the February 6 recommendation
35 of Public Works Director Mark Miller. Thom seconded the motion. There was no discussion or
36 public comment. The Board voted unanimously to approve the motion.
37

38 **Defined Benefit Pension Plan**

39 The Board discussed Rick Smith's February 14 recommendation to amend the Defined Benefit
40 Plan to allow for distribution to a participant during employment. Marty moved that the Board
41 not accept Rick's recommendation. Thom seconded the motion. Resident Joe Buonnano asked
42 for clarification on the recommendation which was provided to him. There was no further
43 discussion or public comment. The Board voted unanimously to approve the motion.
44
45

1 **CCATO Spring Convention - March 8**

2 Rick asked each Supervisor to email him with their break-out session selection. Carmen said he
3 will be unable to attend this convention.
4

5 **Township Signs**

6 Senya moved to accept the February 15 recommendation of Public Works Director Mark Miller
7 to purchase the following Township signs from Marsh Creek Signs:
8

| | |
|--|---------------|
| 9 One (1) Township Building sign | \$3,672.00 |
| 10 Five (5) Welcome To East Goshen signs (22" x 36") | \$1,022.50 ea |

11

12 Chuck seconded the motion. There was no discussion or public comment. The Board voted
13 unanimously to approve the motion.
14

15 **Wireless Access at Township Building**

16 Carmen moved to accept Rick Smith's recommendation to allow ABC members to access the
17 Township's wireless service while at the Township Building and to require them to sign a
18 Wireless Service Agreement. Senya seconded the motion.
19

20 *Public Comment: Leo Sinclair, Lochwood Lane* – Asked if the connection is a standalone
21 connection and Senya said yes.
22

23 *Public Comment: Kathryn Yahraes, Vista Drive* – Asked if the service will also be available at
24 the Blacksmith Shop. Rick said no, as there is no wireless service there and no plan to add it.
25

26 *Public Comment: State Rep. Dan Truitt* – Asked if the Board would consider allowing anyone in
27 the Township Building to access the service, not just the ABCs. Rick expressed concern about
28 possible liability to the Township. Senya said he would have no problem with allowing
29 everyone access.
30

31 Senya asked that the motion on the table be amended by allowing access to everyone as long as
32 they accept a drop-down disclaimer that will pop up. Carmen said he would accept the
33 amendment to allow access for everyone, but he did not want to require the drop-down
34 disclaimer. The motion was withdrawn.
35

36 Carmen then moved to allow WiFi access to everyone at the Township Building and no
37 password or disclaimer form will be required. Thom seconded the motion. There was no further
38 discussion or public comment. The Board voted unanimously to approve the motion.
39

40 Rick will have the password requirement removed.
41

42 **Rossmore Escrow Account**

43 Thom moved to approve a February 10 request from the Rossmore HOA to withdraw \$11.29
44 from their escrow account, bringing the balance down to \$25,000. Carmen seconded the motion.
45 There was no discussion or public comment. The Board voted unanimously to approve the
46 motion.

1 **Sewer/Refuse Invoices**

2 Thom moved that the Township not spend an extra \$1,000 to purchase sewer/refuse invoice
3 forms with a return envelope, but to purchase the forms only. Carmen seconded the motion.

4
5 *Public Comment: Joe Buonnano, Herron Lane* – Asked if the Township is accepting e-debit
6 transactions yet. Carmen told him no. Senya said Rick Smith will investigate this matter on
7 February 22.

8
9 Marty said it would be good to know how many residents actually mail in payment forms before
10 making this decision. Rick said the invoices must be ordered now and the decision cannot be
11 delayed.

12
13 *Public Comment – Unidentified Resident* – Said he does not think the Township should purchase
14 the envelopes.

15
16 There was no further discussion or public comment. The Board voted unanimously to approve
17 the motion.

18
19 **ABC Goals**

20 Senya said he believes the ABCs should be responsible for ranking their own priorities. Marty
21 said he believes it's appropriate for the Supervisors to set the priorities for the ABCs, especially
22 those for 2012 because the Board has already ranked them. Marty said if the Board wants to
23 have the ABCs begin prioritizing their own goals, the ABCs should be informed of that decision
24 at the next Annual Planning Session. In the meantime, Rick should inform each ABC of their
25 prioritized goals for 2012 and remind them that they are to provide updates on their progress to
26 the Board three times per year.

27
28 **Any Other Matter**

29 **Geothermal Heating for Township Building** – Chuck said he is interested in learning more about
30 this. Rick will provide him with a copy of the study that was done for the Township. Rick noted
31 that Nancy Scheiderman is still researching any grants that might be available.

32
33 **Raw Milk** – Senya said a resident complained that raw milk was sold to a minor at the Farmers'
34 Market. The minor subsequently became ill. Carmen said the Farmers' Market Committee is
35 addressing this issue and will have additional signage posted where the milk is sold. Senya
36 asked Rick to let the concerned resident know that steps are being taken to address the issue.
37 He also asked Rick to make sure the Farmers' Market Committee ensures that additional signage
38 is posted, and to have them send a photograph of the signage to the Board.

39
40 **Ridley Creek Sewage Treatment Plant** - Rick announced that the Township Solicitor has
41 recommended the contract with Miller Environmental (the Plant Operator) be terminated
42 immediately. Miller's failure to follow the specifications of the contract has resulted in the
43 Township being cited by the DEP for a violation. Rick said that an interim Plant Operator is on
44 standby, and once the contract with Miller is terminated he will put the job out to bid. Marty
45 said he would like Pennoni to conduct an assessment of the plant ASAP to document all the

1 issues. Carmen moved to terminate the contract with Miller Environmental and to have Pennoni
2 make an assessment of the plant.

3
4 *Public Comment: Leo Sinclair, Lochwood Lane* – Asked if Pennoni's costs will be charged back
5 to Miller Environmental and Senya said yes.

6
7 *Public Comment: Joe Buonnano, Herron Lane* – Asked what did Miller Environmental do. He
8 was told they did not operate the plant properly.

9
10 There was no further discussion or public comment. The Board voted unanimously to approve
11 the motion.

12
13 **Review of Minutes**

14 The Board reviewed and corrected the draft minutes of February 7. Senya said the minutes
15 would stand approved as corrected.

16
17 **Treasurer's Report & Expenditure Register Report**

18 *See attached Treasurer's Report for February 16, 2012.* The Board reviewed the Treasurer's
19 Report and the current invoices. Rick said he will check with Frank Vattalino regarding payment
20 for the Zumba instructor, whether a 1099 form was created for her, and whether the Township
21 has any liability issues regarding the Zumba class. Rick will also check whether it's best for the
22 Township to pay off the loan for the Township building at once, or pay it off over the course of
23 the year.

24
25 Thom moved to accept the Treasurer's Report of February 16 and the Expenditure Register
26 Report as recommended by the Treasurer, to accept the receipts and to authorize payment of the
27 invoices just reviewed. Chuck seconded the motion. There was no discussion.

28
29 *Public Comment: Leo Sinclair, Lochwood Lane* – Asked if all entries in the Expenditure
30 Register Report can be dated. Rick said it could be done but will take space away from the
31 expenditure descriptions. Senya told Mr. Sinclair that to the extent possible due to space
32 restrictions, the staff will begin adding dates.

33
34 There was no further discussion or public comment. The Board voted unanimously to approve
35 the motion.

36
37 **Action List**

38 Cloud Computing – No update.

39 Telecom Registration & Reporting – Rick reported that two or three registrations are still
40 outstanding.

41 Quarterly Financial Reports – Rick said the 2011 year-end reports will be available for the
42 March 6 meeting.

43
44 **Correspondence & Reports of Interest**

45 Senya acknowledged receipt of the following:

- 46
 - Remediation Report from Sunoco for the 4th Quarter of 2011.

- February 2 letter from the Pennsylvania Bureau for Historic Preservation regarding the Liberty Towers cell tower to be located at 1570 Paoli Pike.
- February 9 letter from the HOA of The Preserve at Applebrook authorizing the Township to install four speed limit signs in their neighborhood and to send them an invoice for \$400.
- February 9 email from resident Daniel McAlonie commending the responsiveness and hard work of Mark Miller and the Public Works team.
- February 3 letter from resident Thomas J. Krinock regarding traffic accidents on N. Chester Road (Route 352) between Forest Lane and Brookmont Drive.
- February 17 memo from Mark Gordon regarding the Iron Hill Twilight Criterium.
- February 12 letter from Comcast regarding digital network enhancements.

Meetings & Dates of Importance

Senya noted the upcoming meetings as listed in the agenda.

Public Comment Period

Kathryn Yahraes, Vista Drive - Asked whether the Board would like progress reports from the ABCs at the beginning of the designated months or the ends of the months. Senya said the ends of the months. Rick said a note about the goals will be added to the next agenda for each of the ABCs.

State Rep. Dan Truitt - Stated that a constituent approached him expressing concern about the number of traffic signs in the vicinity of the triangle along Paoli Pike.

Joe Buonnano, Herron Lane - Inquired about insurance coverage for the trustees of the Pension Plan, and whether the Township has certificates from Raymond James showing they have D&O and E&O coverage for their employee. Senya said that Rick would check into these matters.

Adjournment

There being no further business, the regular meeting was adjourned at 9:47pm.

Executive Session

The Board met in Executive Session until 10:15pm to discuss a personnel matter.

Anne Meddings

Recording Secretary

Attachment: Treasurer's Report

15

EAST GOSHEN TOWNSHIP ACTION LIST

| New additions are in bold | | 6-Mar-12 |
|---------------------------|--|-----------------|
| # | Item | Action Due Date |
| ADM 10-22 | TAG Action List | 6-Mar-12 |
| ADM 11-15 | Cell Tower | 6-Mar-12 |
| DPW 07-02 | Hershey's Mill Dam | 6-Mar-12 |
| FIN 11-05 | Quarterly Financial Reports | 6-Mar-12 |
| ADM 11-23 | IT Committee Implementation | 20-Mar-12 |
| ADM 11-24 | Cloud Computing | 20-Mar-12 |
| DPW 07-02 | Telecom Registration and Reporting | 20-Mar-12 |
| PCZ 12-01 | Comp Plan | 20-Mar-12 |
| ADM 11-16 | Post Retirement Medical Benefits | 3-Apr-12 |
| ADM 11-23 | Electronic Newsletter | 3-Apr-12 |
| PCZ 11-6 | Sign Ordinance | 3-Apr-12 |
| ADM 09-04 | Quarterly Review of Right to Know Requests | 17-Apr-12 |
| ADM 11-13 | Municipal Authority Projects (qtrly) | 17-Apr-12 |
| DPW 08-02 | Quarterly Report on I&I | 17-Apr-12 |

EAST GOSHEN TOWNSHIP ACTION ITEM

Item:

Cell Tower

No:

ADM 11-15

List Date:

2/17/2011

Completed Date:

Description:

Consider locating a cell tower on Township Property

| Date | Action |
|-----------------|---|
| 4/5/2011 | We received 3 responses and 1 request for an extension from the RFP |
| 4/12/2011 | Board needs to decide if they want to consider incomplete proposals |
| 4/19/2011 | Subcommittee of Don, Thom, Rick and Mark directed to review the three proposa |
| 4/26/2011 | Subcommittee has met with the 3 carriers, Recommendation forthcoming |
| 5/3/2011 | Subcommittee report attached |
| 5/24/2011 | 1,000, foot letter sent, on 5/24 meeting agenda. Sub committee selected to review and report back to BoS |
| 6/28/2011 | Consider Proposal from Liberty |
| 7/12/2011 | Consider Proposal from Liberty |
| 7/26/2011 | Review draft agreement attached |
| 9/6/2011 | Ordinance adopted, waiting on a revised agreement and exhibits from Liberty |
| 10/4/2011 | Revised agreement and exhibits under review by subcommittee |
| 11/1/2011 | Rich is updating agreement and site plan to reflect agreed upon changes. Federal and state cases on hold. Waiting on color chip and sample of tower skin. Need letter on impact to Historic District. |
| 12/6/2011 | Rich is updating agreement. We have received an updated site plan and photo seems. |
| 1/10/2012 | All issues resolved, waiting on agreement and plan from Rich |
| 2/7/2012 | Township Executed Agreement on 1/17. |
| 3/6/2012 | Rich is working on permit plans. Deposit in escrow. Still in feasibility period. |

EAST GOSHEN TOWNSHIP ACTION ITEM

Item:

TAG Action List

No:

ADM 10-22

List Date:

12/7/2010

Completed Date:

Description:

Complete action items on TAG list

| Date | Action |
|-----------|---|
| 12/7/2010 | Review list |
| 1/3/2011 | Updated summary is attached |
| 1/18/2011 | Updated summary is attached |
| 2/1/2011 | Updated summary is attached |
| 2/22/2011 | Updated summary is attached |
| 3/1/2011 | No change from summary issued for 2/22/11 meeting |
| 3/15/2011 | Updated summary is attached (report has been reformatted) |
| 4/5/2011 | Updated summary is attached |
| 4/19/2011 | Updated summary is attached |
| 5/3/2011 | Updated summary is attached |
| 5/24/2011 | Updated summary is attached |
| 6/7/2011 | Updated summary is attached |
| 6/21/2011 | Updated summary is attached |
| 7/12/2011 | Updated summary is attached |
| 8/9/2011 | Updated summary is attached |
| 10/4/2011 | Updated summary is attached |
| 11/1/2011 | Updated summary is attached |
| 12/6/2011 | Updated summary is attached |
| 1/7/2012 | Updated summary is attached |
| 2/7/2012 | Updated summary is attached |
| 3/6/2012 | Updated summary is attached |

TAG Recommendation Summary

February 7, 2012

| ID | Item | Votes | Board Member | Staff Member | Due Date | Comments |
|----|---|-------|--------------|--------------|------------|--|
| 9 | Implement a Fully Integrated Cost Accounting System (108) | 2 | Senya/Marty | Deb | 3/31/2011 | Accounts are in budget/appraisal |
| 2 | Merit Compensation | 1 | | Rick | 6/30/2011 | Interviews scheduled for 3/20 |
| 15 | Assess/Replace HVAC System (95) | 4 | Carmen | Rick | 6/30/2011 | No grants. There is a loan program |
| 18 | Work with Adjoining Townships for IT Support (116) | | Don | Rick | 6/30/2011 | WCACOG conducted a survey - Reviewing info on Cloud |
| 3 | Minimize Community Vacancy | | Senya | Mark G. | | Created CDC |
| 16 | Transition to an Electronic Newsletter (34) | 3 | Thom | Tia | 12/31/2011 | First electronic version scheduled for 4/1/12. Currently being proofed |
| | | | | | | |
| 24 | Police Negotiations | | | Rick | 1/1/2012 | Review and discuss. Could be improved upon. |
| 26 | Two Tier Wage & Benefits Scale for Police Officers (120) | | | Rick | 1/1/2012 | Review and discuss. Could be improved upon. |
| 14 | Solar Array (94) | | | Rick | 1/30/2012 | Back burner. Revisit in 6 mths |
| 39 | Maintain Ownership of Wastewater Treatment Plant (85) | 2 | Marty | Rick | | On hold until all PS projects are done |

Completed items have been removed

3/2/2012

EAST GOSHEN TOWNSHIP

ACTION ITEM

| | | | | | | | | | |
|--------------|---|-----------|--|--|--|--|-----------------|-----|-----------|
| | | | | | | | | | |
| Item: | Hershey's Mill Dam | | | | | | | No: | DPW 07-02 |
| | List Date: | 5/22/2007 | | | | | Completed Date: | | |
| Description: | Bring Dam into compliance with DEP requirements or dispose of dam | | | | | | | | |
| | | | | | | | | | |
| Date | Action | | | | | | | | |
| | Note I have hidden the 2010 comments to save space | | | | | | | | |
| 1/3/2011 | Update from Neil DeReimer | | | | | | | | |
| 2/1/2011 | Update from Neil DeReimer | | | | | | | | |
| 3/1/2011 | Update tabled to 3/8 | | | | | | | | |
| 3/8/2011 | Update from Neil DeReimer | | | | | | | | |
| 3/24/2011 | American Rivers/NOAH grant denied | | | | | | | | |
| 4/5/2011 | Update from Neil DeReimer | | | | | | | | |
| 5/10/2011 | Update from Neil DeReimer | | | | | | | | |
| 6/7/2011 | Update from Neil DeReimer | | | | | | | | |
| 7/12/2011 | Update from Neil DeReimer | | | | | | | | |
| 8/9/2011 | Update from Neil DeReimer | | | | | | | | |
| 11/1/2011 | Update from Neil DeReimer and see attached | | | | | | | | |
| 12/6/2011 | Update from Neil DeReimer | | | | | | | | |
| 12/9/2011 | Submitted grant application to American Rivers (decision by 3/9/12) | | | | | | | | |
| 1/3/2012 | contacted PADEP about meeting | | | | | | | | |
| 2/7/2012 | Conference call with DEP scheduled for 2/2/12 | | | | | | | | |
| 3/7/2012 | Contract with Walsh executed on 2/7. Status report attached | | | | | | | | |

Rick Smith

From: Adam Brower [~~Abrower@ebwalshinc.com~~]
Sent: Tuesday, February 28, 2012 1:59 PM
To: rsmith@eastgoshen.org
Cc: Neil DeRiemer
Subject: Hershey Mill Dam Project

Good afternoon Rick and Neil:

I thought I would provide you with a status update on the EBWA work on the project.

We have completed our survey of the site (including around the pond as discussed with DEP).

We are currently preparing the base plan. When that is completed I will refine the hydrological study to make sure my sketch plan and outlet structure as proposed meets the regulations. As soon as that is determined we will proceed with construction specifications and the reports as required by DEP.

Feel free to contact me with any questions.

Adam

EAST GOSHEN TOWNSHIP ACTION ITEM

Item:

Quarterly 2011 Financial Reports

No:

FIN 10-05

List Date:

2/16/2010

Completed Date:

Description:

| Date | Action |
|------------|--|
| 4/19/2010 | Provide Q1 Reports. Done |
| 7/27/2010 | Provide Q2 Reports. Budget Savings: 2008 Budget vs. 2010 Budget Provide list of Variances and Impact Items (\$2500 threshold) Disbursements by Fund State Fund chargebacks detailed DPW breakouts for full costing Snow, Roads, Sewer, Parks Overtime Report |
| 10/26/2010 | Provide Q3 Reports. |
| 1/25/2011 | Pending review by Finance Group |
| 4/26/2011 | Pending review by Finance Group |
| 5/3/2011 | March report in packet. Quarterly report will be expanded to include April and distributed for the Financial Planning Session on 5/26. |
| 7/26/2011 | See your Financial Binder sent out 7/22/2011 |
| 10/25/2011 | See your Financial Binder sent out 10/21/11 |
| 3/6/2012 | See report |



pennsylvania

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Southeast Regional Office

169

February 24, 2012

CERTIFIED MAIL NO. 7004 1160 0003 8215 8231

Louis Smith
East Goshen Municipal Authority
1580 Paoli Pike
West Chester, PA 19380-6107

Re: East Goshen Municipal Authority STP
SEW PA0050504
File Type: NPDES
East Goshen Township
Chester County

RECEIVED
BY: _____

FEB 27 2012

Dear Mr. Smith:

Your Permit is enclosed.

Please note that on October 9, 2010, new NPDES regulations at 25 Pa. Code Chapter 92a became effective. These regulations represent an extensive reorganization of Chapter 92 such that it follows the organization of the corresponding Federal regulations set forth in 40 CFR Part 122. The regulations also set forth a new NPDES fee structure designed to cover the Commonwealth's share of administering the NPDES program. In addition, several new provisions incorporating recent requirements established under the Federal program have been added, and minimum treatment requirements based on the secondary treatment standard for discharges of treated sewage have been established. Please review your permit closely so that you are familiar with the changes that resulted from these new regulations.

Any person aggrieved by this action may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. Section 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A, to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717.787.3483. TDD users may contact the Board through the Pennsylvania Relay Service, 800.654.5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at 717.787.3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

IF YOU WANT TO CHALLENGE THIS ACTION, YOUR APPEAL MUST REACH THE BOARD WITHIN 30 DAYS. YOU DO NOT NEED A LAWYER TO FILE AN APPEAL WITH THE BOARD.

IMPORTANT LEGAL RIGHTS ARE AT STAKE, HOWEVER, SO YOU SHOULD SHOW THIS DOCUMENT TO A LAWYER AT ONCE. IF YOU CANNOT AFFORD A LAWYER, YOU MAY QUALIFY FOR FREE PRO BONO REPRESENTATION. CALL THE SECRETARY TO THE BOARD (717.787.3483) FOR MORE INFORMATION.

If you have any questions, please call Mr. Sohan Garg at 484.250.5197.

Sincerely,

A handwritten signature in black ink, appearing to read "Jenifer Fields", written over the word "Sincerely,".

Jenifer Fields, P.E.
Regional Manager
Clean Water Program

Enclosures

cc: Operations Section
 Mr. O'Neil (w/enclosures)
 Ms. Lashley (Transmittal Letter Only)
 Data Systems and Analysis
 Regional File
 (WP)



pennsylvania

DEPARTMENT OF ENVIRONMENTAL PROTECTION

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF POINT AND NON-POINT SOURCE MANAGEMENT**AUTHORIZATION TO DISCHARGE UNDER THE
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
DISCHARGE REQUIREMENTS FOR PUBLICLY OWNED
TREATMENT WORKS (POTWs)****NPDES PERMIT NO: PA0050504**

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

**East Goshen Municipal Authority
1580 Paoli Pike
West Chester, PA 19380-6107**

is authorized to discharge from a facility known as **East Goshen Municipal Authority STP & Sewer System**, located in **East Goshen Township, Chester County**, to **Ridley Creek** in Watershed(s) **3-G** in accordance with effluent limitations, monitoring requirements and other conditions set forth in Parts A, B and C hereof.

THIS PERMIT SHALL BECOME EFFECTIVE ON MARCH 1, 2012

THIS PERMIT SHALL EXPIRE AT MIDNIGHT ON FEBRUARY 28, 2017

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

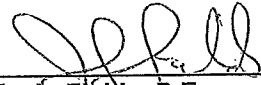
1. If there is a conflict between the application, its supporting documents and/or amendments and the terms and conditions of this permit, the terms and conditions shall apply.
2. Failure to comply with the terms, conditions or effluent limitations of this permit is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application. (40 CFR 122.41(a))
3. A complete application for renewal of this permit, or notice of intent to cease discharging by the expiration date, must be submitted to DEP at least 180 days prior to the above expiration date (unless permission has been granted by DEP for submission at a later date), using the appropriate NPDES permit application form. (40 CFR 122.41(b), 122.21(d))

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

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

DATE PERMIT ISSUED February 24, 2012

ISSUED BY _____


**Jenifer L. Fields, P.E.
Clean Water Program Manager
Southeast Regional Office**

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

I. A. For Outfall 001, Latitude 39° 59' 9.19", Longitude 75° 31' 26.32", River Mile Index 18.72, Stream Code 00621

Discharging to Ridley Creek

which receives sewage effluent from Ridley Creek STP

For Outfall 002, Latitude 40° 0' 19.00", Longitude 75° 32' 5.00", River Mile Index 20.72, Stream Code 00621

Discharging to Ridley Creek via a golf course irrigation pond overflow

which receives sewage effluent from Ridley Creek STP

1. The permittee is authorized to discharge during the period from March 1, 2012 through February 28, 2013.

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

| Parameter | Effluent Limitations | | | | Monitoring Requirements | |
|-----------------------------|-------------------------------------|----------------|-----------------------|-----------------|--|----------------------|
| | Mass Units (lbs/day) ⁽¹⁾ | | Concentrations (mg/L) | | Minimum ⁽²⁾ Measurement Frequency | Required Sample Type |
| | Average Monthly | Weekly Average | Minimum | Average Monthly | Instant. Maximum | |
| Flow (MGD) | Report | Report | XXX | XXX | XXX | Measured |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | 9.0 | Grab |
| Dissolved Oxygen | XXX | XXX | 5.0 | XXX | XXX | Grab |
| CBOD5 | | | | | | 24-Hr |
| May 1 - Oct 31 | 62 | 94 | XXX | 10 | 15 | Composite |
| CBOD5 | | | | | | 24-Hr |
| Nov 1 - Apr 30 | 125 | 188 | XXX | 20 | 30 | Composite |
| BOD5 | | | | | | 24-Hr |
| Raw Sewage Influent | Report | XXX | XXX | Report | XXX | Composite |
| Total Suspended Solids | 131 | 200 | XXX | 21 | 32 | Composite |
| Total Suspended Solids | | | | | | 24-Hr |
| Raw Sewage Influent | Report | XXX | XXX | Report | XXX | Composite |
| | | | | 200 | | |
| Fecal Coliform (CFU/100 ml) | XXX | XXX | XXX | Geo Mean | 1,000 | Grab |

Outfalls 001 and 002, Continued (from March 1, 2012 through February 28, 2013.)

| Parameter | Effluent Limitations | | | | | Monitoring Requirements | |
|------------------------------------|-------------------------------------|----------------|-----------------------|-----------------|----------------|--|----------------------|
| | Mass Units (lbs/day) ⁽¹⁾ | | Concentrations (mg/L) | | | Minimum ⁽²⁾ Measurement Frequency | Required Sample Type |
| | Average Monthly | Weekly Average | Minimum | Average Monthly | Weekly Average | | |
| Ammonia-Nitrogen May 1 - Oct 31 | 16 | XXX | XXX | 2.5 | XXX | 1/week | 24-Hr Composite |
| Ammonia-Nitrogen Nov 1 - Apr 30 | 44 | XXX | XXX | 7.0 | XXX | 1/week | 24-Hr Composite |
| Total Phosphorus | 3.0 | XXX | XXX | 0.5 | XXX | 1/week | 24-Hr Composite |

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

At discharge prior to wetland for Outfall 001, and at effluent pump chamber for Outfall 002 ⁽³⁾.

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

I. B. For Outfall 001, Latitude 39° 59' 9.19", Longitude 75° 31' 26.32", River Mile Index 18.72, Stream Code 00621

Discharging to Ridley Creek

which receives sewage effluent from Ridley Creek STP

For Outfall 002, Latitude 40° 0' 19.00", Longitude 75° 32' 5.00", River Mile Index 20.72, Stream Code 00621

Discharging to Ridley Creek via a golf course irrigation pond overflow

which receives sewage effluent from Ridley Creek STP

1. The permittee is authorized to discharge during the period from March 1, 2013 through February 28, 2017.

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

| Parameter | Effluent Limitations | | | | | Monitoring Requirements | |
|-----------------------------|-------------------------------------|----------------|-----------------------|-----------------|------------------|--|----------------------|
| | Mass Units (lbs/day) ⁽¹⁾ | | Concentrations (mg/L) | | | Minimum ⁽²⁾ Measurement Frequency | Required Sample Type |
| | Average Monthly | Weekly Average | Minimum | Average Monthly | Instant. Maximum | | |
| Flow (MGD) | Report | Report | | | | | |
| pH (S.U.) | XXX | XXX | XXX | XXX | XXX | Continuous | Measured |
| Dissolved Oxygen | XXX | XXX | 6.0 | XXX | 9.0 | 1/day | Grab |
| CBOD5 | XXX | XXX | 5.0 | XXX | XXX | 1/day | Grab |
| May 1 - Oct 31 | 62 | 94 | XXX | 10 | 20 | 1/week | 24-Hr Composite |
| CBOD5 | 125 | 188 | XXX | 20 | 40 | 1/week | 24-Hr Composite |
| Nov 1 - Apr 30 | Report | XXX | XXX | Report | XXX | 1/week | 24-Hr Composite |
| BOD5 | 62 | 94 | XXX | 10 | 20 | 1/week | 24-Hr Composite |
| Raw Sewage Influent | Report | XXX | XXX | Report | XXX | 1/week | 24-Hr Composite |
| Total Suspended Solids | 62 | 94 | XXX | 10 | 20 | 1/week | 24-Hr Composite |
| Total Suspended Solids | Report | XXX | XXX | Report | XXX | 1/week | 24-Hr Composite |
| Raw Sewage Influent | Report | XXX | XXX | Report | XXX | 1/week | 24-Hr Composite |
| Fecal Coliform (CFU/100 ml) | XXX | XXX | XXX | 200 Geo Mean | 1,000 | 1/week | Grab |

Outfalls 001 and 002, Continued (from March 1, 2013 through February 28, 2017)

| Parameter | Effluent Limitations | | | | | Monitoring Requirements | |
|------------------------------------|-------------------------------------|----------------|-----------------------|-----------------|----------------|--|----------------------|
| | Mass Units (lbs/day) ⁽¹⁾ | | Concentrations (mg/L) | | | Minimum ⁽²⁾ Measurement Frequency | Required Sample Type |
| | Average Monthly | Weekly Average | Minimum | Average Monthly | Weekly Average | | |
| Ammonia-Nitrogen May 1 - Oct 31 | 16 | XXX | XXX | 2.5 | XXX | 1/week | 24-Hr Composite |
| Ammonia-Nitrogen Nov 1 - Apr 30 | 44 | XXX | XXX | 7.0 | XXX | 1/week | 24-Hr Composite |
| Total Phosphorus | 3.0 | XXX | XXX | 0.5 | XXX | 1/week | 24-Hr Composite |

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

At discharge prior to wetland for Outfall 001, and at effluent pump chamber for Outfall 002 ⁽³⁾.

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

1. The permittee may not discharge:
 - a. Floating solids, scum, sheen or substances that result in observed deposits in the receiving water. (25 Pa Code 92a.41(c))
 - b. Oil and grease in amounts that cause a film or sheen upon or discoloration of the waters of this Commonwealth or adjoining shoreline, or that exceed 15 mg/l as a daily average or 30 mg/l at any time (or lesser amounts if specified in this permit). (25 Pa. Code 92a.47(a)(7) and 95.2(2))
 - c. Substances in concentration or amounts sufficient to be inimical or harmful to the water uses to be protected or to human, animal, plant or aquatic life. (25 Pa Code 93.6(a))
 - d. Foam or substances that produce an observed change in the color, taste, odor or turbidity of the receiving water, unless those conditions are otherwise controlled through effluent limitations or other requirements in this permit. (25 Pa Code 92a.41(c))
2. The monthly average percent removal of BOD₅ or CBOD₅ and TSS must be at least 85% for POTW facilities on a concentration basis except where 25 Pa. Code 92a.47(g) and (h) are applicable to facilities with combined sewer overflows (CSOs) or as otherwise specified in this permit. (25 Pa. Code 92a.47(a)(3))
3. The total annual average flow for Outfalls 001 and 002 may not exceed 0.75 MGD. Outfall 002 flows reported to DEP must be measured based on pumping rate and time or other methods.

Footnotes

- (1) When sampling to determine compliance with mass effluent limitations, the discharge flow at the time of sampling must be measured and recorded.
- (2) This is the minimum number of sampling events required. Permittees are encouraged, and it may be advantageous in demonstrating compliance, to perform more than the minimum number of sampling events.
- (3) Samples collected at Outfall 001 may be used to represent effluent quality at Outfall 002.

Supplemental Information

1. If the permit requires reporting of average weekly limitations use the following guideline. If the "maximum average concentration" and the "maximum average mass loading" does not occur within the same week, both the highest weekly average concentration and the highest weekly average mass load should be reported, regardless of whether they both occur during the same calendar week.
2. The effluent limitations for Outfalls 001 and 002 were determined using effluent discharge rates of 0.75 MGD and 0.135 MGD, respectively.

II. DEFINITIONS

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

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

Best Management Practices (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures and other management practices to prevent or reduce the pollution to surface waters of the Commonwealth. BMPs also include treatment requirements, operating procedures and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. (25 Pa. Code 92a.2)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

III. SELF-MONITORING, REPORTING AND RECORDKEEPING

A. Representative Sampling (40 CFR 122.41(j)(1))

1. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.

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

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

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

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

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

4. Test Procedures (40 CFR 122.41(j)(4))

Facilities that test or analyze environmental samples used to demonstrate compliance with this permit shall be in compliance with laboratory accreditation requirements of Act 90 of 2002 (27 Pa. C.S. §§4101-4113) and 25 Pa. Code Chapter 252, relating to environmental laboratory accreditation. Unless otherwise specified in this permit, the test procedures for the analysis of pollutants shall be those approved under 40 CFR Part 136 (or in the case of sludge use or disposal, approved under 40 CFR Part 136, unless otherwise specified in 40 CFR Part 503 or Subpart J of 25 Pa. Code Chapter 271), or alternate test procedures approved pursuant to those parts, unless other test procedures have been specified in this permit.

5. Quality/Assurance/Control

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

- a. The permittee, or its designated laboratory, shall participate in the periodic scheduled quality assurance inspections conducted by DEP and EPA. (40 CFR 122.41(e), 122.41(i)(3))
- b. The permittee, or its designated laboratory, shall develop and implement a program to assure the quality and accurateness of the analyses performed to satisfy the requirements of this permit, in accordance with 40 CFR Part 136. (40 CFR 122.41(j)(4))

B. Reporting of Monitoring Results

1. The permittee shall effectively monitor the operation and efficiency of all wastewater treatment and control facilities, and the quantity and quality of the discharge(s) as specified in this permit. (40 CFR 122.41(e), 122.44(i)(1))

2. Unless instructed otherwise in Part C of this permit, properly completed DMR(s) must be received by the agency(ies) below within 28 days after the end of each reporting period. The permittee shall complete all Supplemental Reporting forms (Supplemental DMRs) provided by DEP in this permit (or an approved equivalent), and submit the signed, completed forms as an attachment to the DMR(s). If the permittee elects to use DEP's electronic DMR (eDMR) system, one electronic submission may be made for DMRs and Supplemental DMRs. If paper forms are used, the completed forms shall be mailed to:

Department of Environmental Protection
Clean Water Program
2 East Main Street
Norristown, PA 19401

3. If the permittee elects to begin using DEP's eDMR system to submit DMRs required by the permit, the permittee shall, to assure continuity of business operations, continue using the eDMR system to submit all DMRs and Supplemental Reports required by the permit, unless the following steps are completed to discontinue use of eDMR:
 - a. The permittee shall submit written notification to the regional office that issued the permit that it intends to discontinue use of eDMR. The notification shall be signed by a principal executive officer or authorized agent of the permittee.
 - b. The permittee shall continue using eDMR until the permittee receives written notification from DEP's Central Office that the facility has been removed from the eDMR system, and electronic report submissions are no longer expected.
4. The completed DMR Form shall be signed and certified by either of the following applicable persons, as defined in 25 Pa. Code 92a.22:
 - For a corporation - by a principal executive officer of at least the level of vice president, or an authorized representative, if the representative is responsible for the overall operation of the facility from which the discharge described in the NPDES form originates.
 - For a partnership or sole proprietorship - by a general partner or the proprietor, respectively.
 - For a municipality, state, federal or other public agency - by a principal executive officer or ranking elected official.

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

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

C. Reporting and Notification Requirements

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

Notice is required when:

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

- b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are not subject to effluent limitations in this permit. (40 CFR 122.41(l)(1)(ii))
 - c. The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan. (40 CFR 122.41(l)(1)(iii))
 - d. The planned change may result in noncompliance with permit requirements. (40 CFR 122.41(l)(2))
 - e. The facility is proposing an expansion or modifications to its treatment processes. (25 Pa. Code 92a.24(a))
2. Planned Changes to Waste Stream – Under the authority of 25 Pa. Code 92a.24(a) and 40 CFR 122.42(b), the permittee shall provide notice to DEP and EPA as soon as possible but no later than 45 days prior to any changes in the volume or pollutant concentration of its influent waste stream as a result of indirect discharges or hauled-in wastes, as specified in paragraphs 2.a. and 2.b., below. Notice shall be provided on the "Planned Changes to Waste Stream" Supplemental Report (3800-FM-WSFR0482), available on DEP's website. The permittee shall provide information on the quality and quantity of waste introduced into the POTW, and any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW (40 CFR 122.42(b)(3)). The Report shall be sent via Certified Mail or other means to confirm DEP's receipt of the notification. DEP will determine if the submission of an application and receipt of an amended permit is required.

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

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

- (i) Were not detected in the facilities' influent waste stream as reported in the permit application, or were otherwise not analyzed in the influent and reported to DEP prior to permit issuance;
- (ii) Have not been previously approved to be included in the permittee's influent waste stream by DEP and/or EPA in writing;
- (iii) Are previously unapproved pollutants introduced into the POTW from an indirect discharger which would be subject to Sections 301 and 306 of the Clean Water Act if it were directly discharging those pollutants (40 CFR 122.42(b)(1)).

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

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

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

- (i) Were detected in the facilities' influent waste stream as reported in the permittee's permit application or were otherwise analyzed and reported to DEP prior to permit issuance;
- (ii) Have an effluent limitation or monitoring requirement in this permit;
- (iii) Have been previously approved for the permittee's influent waste stream by DEP in writing.

The permittee shall provide notification of the introduction of increased influent loading (lbs/day) of approved pollutants in accordance with paragraph 2 above when (1) the cumulative increase in influent loading (lbs/day) exceeds 10% of the maximum loading reported in the permit application,

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

c. New Information on Existing Discharges

The permittee shall notify DEP and EPA where it discovers new information, not reported previously, on the quality and quantity of the effluent introduced into the POTW by an industrial user or an indirect discharger and the anticipated impact of the change in the quality and quantity of effluent to be discharged from the POTW. (40 CFR 122.42(b)(3))

3. Reporting Requirements for Hauled-In Wastes

a. Receipt of Residual Waste

- (i) The permittee shall document the receipt of all hauled-in residual wastes (including but not limited to wastewater from oil and gas wells, food processing waste, and landfill leachate) received for processing at the treatment facility. The permittee shall report hauled-in residual wastes on a monthly basis to DEP on the "Hauled In Residual Wastes" Supplemental Report (3800-FM-WSFR0450) as an attachment to the DMR. If no residual wastes were received during a month, submission of the Supplemental Report is not required.

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

- (1) The dates that residual wastes were received.
- (2) The volume (gallons) of wastes received.
- (3) The license plate number of the vehicle transporting the waste to the treatment facility.
- (4) The permit number(s) of the well(s) where residual wastes were generated, if applicable.
- (5) The name and address of the generator of the residual wastes.
- (6) The type of wastewater.
- (7) Documentation of whether or not a chemical analysis of the residual wastes were reported on a Residual Waste Form 26R, or a separate waste characterization using the parameters from Form 26R.

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

- (ii) The following conditions apply to the characterization of residual wastes received by the permitted treatment facility:
- (1) The permitted facility must receive and maintain on file a characterization of the residual wastes it receives from the generator, as required by 25 Pa. Code 287.54. The

characterization shall conform to the Bureau of Waste Management's Form 26R except as noted in paragraph (2), below. Each load of residual waste received must be characterized accordingly.

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

b. Receipt of Municipal Waste

- (i) The permittee shall document the receipt of all hauled-in municipal wastes (including but not limited to septage and liquid sewage sludge) received for processing at the treatment facility. The permittee shall report hauled-in municipal wastes on a monthly basis to DEP on the "Hauled In Municipal Wastes" Supplemental Report (3800-FM-WSFR0437) as an attachment to the DMR. If no municipal wastes were received during a month, submission of the Supplemental Report is not required.

The following information is required by the Supplemental Report:

- (1) The dates that municipal wastes were received.
 - (2) The volume (gallons) of wastes received.
 - (3) The BOD₅ concentration (mg/l) and load (lbs) for the wastes received.
 - (4) The location(s) where wastes were disposed of within the treatment facility.
- (ii) Sampling and analysis of hauled-in municipal wastes must be completed to characterize the organic strength of the wastes, unless composite sampling of influent wastewater is performed at a location downstream of the point of entry for the wastes. The influent BOD₅ characterization for the treatment facility, as reported in the annual Municipal Wasteload Management Report per 25 Pa. Code Chapter 94, must be representative of the hauled-in municipal wastes received.

4. Unanticipated Noncompliance or Potential Pollution Reporting

- a. Immediate Reporting - The permittee shall immediately report any incident causing or threatening pollution in accordance with the requirements of 25 Pa. Code Sections 91.33 and 92a.41(b).
 - (i) If, because of an accident, other activity or incident a toxic substance or another substance which would endanger users downstream from the discharge, or would otherwise result in pollution or create a danger of pollution or would damage property, the permittee shall immediately notify DEP by telephone of the location and nature of the danger. Oral notification to the Department is required as soon as possible, but no later than 4 hours after the permittee becomes aware of the incident causing or threatening pollution.
 - (ii) If reasonably possible to do so, the permittee shall immediately notify downstream users of the waters of the Commonwealth to which the substance was discharged. Such notice shall include the location and nature of the danger.
 - (iii) The permittee shall immediately take or cause to be taken steps necessary to prevent injury to property and downstream users of the waters from pollution or a danger of pollution and, in addition, within 15 days from the incident, shall remove the residual substances contained thereon or therein from the ground and from the affected waters of this Commonwealth to the extent required by applicable law.

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

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

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

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

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

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

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

5. Other Noncompliance

The permittee shall report all instances of noncompliance not reported under paragraph C.4 of this section or specific requirements of compliance schedules, at the time DMRs are submitted, on the Non-Compliance Reporting Form (3800-FM-WSFR0440). The reports shall contain the information listed in paragraph C.4.b.(ii) of this section. (40 CFR 122.41(l)(7))

PART B

I. MANAGEMENT REQUIREMENTS

A. Compliance Schedules (25 Pa. Code 92a.51, 40 CFR 122.47(a))

1. The permittee shall achieve compliance with the terms and conditions of this permit within the time frames specified in this permit.
2. The permittee shall submit reports of compliance or noncompliance, or progress reports as applicable, for any interim and final requirements contained in this permit. Such reports shall be submitted no later than 14 days following the applicable schedule date or compliance deadline. (40 CFR 122.47(a)(4))

B. Permit Modification, Termination, or Revocation and Reissuance

1. This permit may be modified, terminated, or revoked and reissued during its term in accordance with 25 Pa. Code 92a.72 and 40 CFR 122.41(f).
2. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition. (40 CFR 122.41(f))
3. In the absence of DEP action to modify or revoke and reissue this permit, the permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants within the time specified in the regulations that establish those standards or prohibitions. (40 CFR 122.41(a)(1))

C. Duty to Provide Information

1. The permittee shall furnish to DEP, within a reasonable time, any information which DEP may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. (40 CFR 122.41(h))
2. The permittee shall furnish to DEP, upon request, copies of records required to be kept by this permit. (40 CFR 122.41(h))
3. Other Information - Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to DEP, it shall promptly submit the correct and complete facts or information. (40 CFR 122.41(l)(8))
4. The permittee shall provide the following information in the annual Municipal Wasteload Management Report, required under the provisions of Title 25 Pa. Code Chapter 94:
 - a. The requirements identified in 25 Pa. Code 94.12.
 - b. The identity of any indirect discharger(s) served by the POTW which are subject to pretreatment standards adopted under Section 307(b) of the Clean Water Act; the POTW shall also specify the total volume of discharge and estimate concentration of each pollutant discharged into the POTW by the indirect discharger.
 - c. A "Solids Management Inventory" including the following information for the preceding year, at a minimum: average annual flow (MGD), average influent BOD₅ (mg/l), average effluent CBOD₅ (mg/l), total volume of sludge wasted (gallons), average solids concentration of return or waste sludge flow (mg/l), and total sludge or biosolids generated (wet or dry tons).
 - d. The total volume of hauled-in residual and municipal wastes received during the year, by source.

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

D. General Pretreatment Requirements

1. POTWs shall require indirect dischargers to the treatment works subject to pretreatment standards adopted under Section 307(b) of the Clean Water Act to comply with the reporting requirements of Sections 204(b), 307, and 308 of the Clean Water Act and regulations thereunder.
2. Any POTW (or combination of POTWs operated by the same authority) with a total design flow greater than 5 million gallons per day (MGD) and receiving from industrial users pollutants which pass through or interfere with the operation of the POTW or are otherwise subject to Pretreatment Standards will be required to establish a POTW Pretreatment Program unless specifically exempted by the Approval Authority. A POTW with a design flow of 5 MGD or less may be required to develop a POTW Pretreatment Program if the Approval Authority finds that the nature or volume of the industrial influent, treatment process upsets, violations of effluent limitations, contamination of sludge, or other circumstances warrant in order to prevent interference or pass through. (40 CFR 403.8)
3. Each POTW with an approved Pretreatment Program pursuant to 40 CFR 403.8 shall develop and enforce specific limits to implement the prohibitions listed in 40 CFR 403.5(a)(1) and (b), and shall continue to develop these limits as necessary and effectively enforce such limits. This condition applies, for example, when there are planned changes to the waste stream as identified in Part A III.C.2. If the permittee is required to develop or continue implementation of a Pretreatment Program, detailed requirements will be contained in Part C of this permit.
4. For all POTWs, where pollutants contributed by indirect dischargers result in interference or pass through, and a violation is likely to recur, the permittee shall develop and enforce specific limits for indirect dischargers and other users, as appropriate, that together with appropriate facility or operational changes, are necessary to ensure renewed or continued compliance with this permit or sludge use or disposal practices. Where POTWs do not have an approved Pretreatment Program, the permittee shall submit a copy of such limits to DEP when developed. (25 Pa. Code 92a.47(d))

E. Proper Operation and Maintenance

1. The permittee shall employ operators certified in compliance with the Water and Wastewater Systems Operators Certification Act (63 P.S. §§1001-1015.1).
2. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance includes, but is not limited to, adequate laboratory controls including appropriate quality assurance procedures. This provision also includes the operation of backup or auxiliary facilities or similar systems that are installed by the permittee, only when necessary to achieve compliance with the terms and conditions of this permit. (40 CFR 122.41(e))

F. Duty to Mitigate

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

G. Bypassing

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

2. Other Bypassing - In all other situations, bypassing is prohibited and DEP may take enforcement action against the permittee for bypass unless:
 - a. A bypass is unavoidable to prevent loss of life, personal injury or "severe property damage." (40 CFR 122.41(m)(4)(i)(A))
 - b. There are no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate backup equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance. (40 CFR 122.41(m)(4)(i)(B))
 - c. The permittee submitted the necessary notice required in paragraph G.4 below. (40 CFR 122.41(m)(4)(i)(C))
3. DEP may approve an anticipated bypass, after considering its adverse effects, if DEP determines that it will meet the conditions listed in paragraph G.2 above. (40 CFR 122.41(m)(4)(ii))
4. Notice
 - a. Anticipated Bypass – If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible, at least 10 days before the bypass. (40 CFR 122.41(m)(3)(i))
 - b. Unanticipated Bypass
 - (i) The permittee shall submit immediate notice of an unanticipated bypass causing or threatening pollution. The notice shall be in accordance with Part A III.C.4.a.
 - (ii) The permittee shall submit oral notice of any other unanticipated bypass within 24 hours, regardless of whether the bypass may endanger health or the environment or whether the bypass exceeds effluent limitations. The notice shall be in accordance with Part A III.C.4.b.

II. PENALTIES AND LIABILITY

A. Violations of Permit Conditions

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

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

B. Falsifying Information

Any person who does any of the following:

- Falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit, or
- Knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit (including monitoring reports or reports of compliance or noncompliance)

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

C. Liability

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

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

D. Need to Halt or Reduce Activity Not a Defense

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

III. OTHER RESPONSIBILITIES

A. Right of Entry

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

1. To enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit; (40 CFR 122.41(i)(1))
2. To have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit; (40 CFR 122.41(i)(2))
3. To inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices or operations regulated or required under this permit; and (40 CFR 122.41(i)(3))
4. To sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act or the Clean Streams Law, any substances or parameters at any location. (40 CFR 122.41(i)(4))

B. Transfer of Permits

1. Transfers by modification. Except as provided in paragraph 2 of this section, a permit may be transferred by the permittee to a new owner or operator only if this permit has been modified or revoked and reissued, or a minor modification made to identify the new permittee and incorporate such other requirements as may be necessary under the Clean Water Act. (40 CFR 122.61(a))
2. Automatic transfers. As an alternative to transfers under paragraph 1 of this section, any NPDES permit may be automatically transferred to a new permittee if:
 - a. The current permittee notifies DEP at least 30 days in advance of the proposed transfer date in paragraph 2.b. of this section; (40 CFR 122.61(b)(1))
 - b. The notice includes the appropriate DEP transfer form signed by the existing and new permittees containing a specific date for transfer of permit responsibility, coverage and liability between them; and (40 CFR 122.61(b)(2))
 - c. DEP does not notify the existing permittee and the proposed new permittee of its intent to modify or revoke and reissue this permit, the transfer is effective on the date specified in the agreement mentioned in paragraph 2.b. of this section. (40 CFR 122.61(b)(3))

- d. The new permittee is in compliance with existing DEP issued permits, regulations, orders and schedules of compliance, or has demonstrated that any noncompliance with the existing permits has been resolved by an appropriate compliance action or by the terms and conditions of the permit (including compliance schedules set forth in the permit), consistent with 25 Pa. Code 92a.51 (relating to schedules of compliance) and other appropriate Department regulations. (25 Pa. Code 92a.71)

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

C. Property Rights

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

D. Duty to Reapply

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

E. Other Laws

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

IV. ANNUAL FEE

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

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

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

Invoices for annual fees will be mailed to permittees approximately three months prior to the due date. In the event that an invoice is not received, the permittee is nonetheless responsible for payment. Throughout a five year permit term, permittees will pay four annual fees followed by a permit renewal application fee in the last year of permit coverage. Permittees may contact the DEP at 717-787-6744 with questions related to annual fees.

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

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

PART C

I. OTHER REQUIREMENTS

- A. Notification of the designation of the responsible operator must be submitted to the permitting agency by the permittee within 60 days after the effective date of the permit and from time to time thereafter as the operator is replaced.
- B. For reporting purposes on the DMR, the term "average weekly" shall mean the highest average weekly value observed during the monthly monitoring period.
- C. If, at any time, the DEP determines that the discharge permitted herein creates a public nuisance or causes environmental harm to the receiving water of the Commonwealth, the DEP may require the permittee to adopt such remedial measures as will produce a satisfactory effluent. If the permittee fails to adopt such remedial measures within the time specified by the DEP, the right to discharge herein granted shall, upon notice by the DEP, cease and become null and void.
- D. No storm water from pavements, area ways, roofs, foundation drains, or other sources shall be admitted to the sanitary sewers associated with the herein approved discharge.
- E. The approval herein given is specifically made contingent upon the permittee acquiring all necessary property rights by easement or otherwise, providing for the satisfactory construction, operation, maintenance, and replacement of all sewers or sewerage structures associated with the herein approved discharge in, along, or across private property, with full rights of ingress, egress and regress.
- F. If there is a change in ownership of this facility or in the name of the permittee, an application for transfer of the permit must be submitted to the DEP.
- G. Collected screenings, slurries, sludges, and other solids shall be handled and disposed of in compliance with 25 Pa. Code, Chapters 271, 273, 275, 281, 283, and 285 (relating to general provisions and requirements for landfilling, land application, composting, processing, and storage of municipal waste), Chapters 261a, 262a, 263a, and 270a (related to identification of hazardous waste, requirements for generators and transporters, and hazardous waste permit programs) and applicable Federal Regulations, the Federal Clean Water Act, RCRA, and their amendments.
- H. The DEP may identify and require certain discharge specific data to be submitted before the expiration date of this permit. Upon notification by the DEP, the permittee will have 12 months from the date of the notice to provide the required data. These data, along with any other data available to the DEP, will be used in completing the Watershed TMDL/WLA Analysis and in establishing discharge effluent limits.
- I. Instantaneous maximum limitations are imposed to allow for a grab sample to be collected by the appropriate regulatory agency to determine compliance. The permittee does not have to monitor for the instantaneous maximum limitation except for the parameters temperature, oil and grease, pH, total residual chlorine, and fecal coliform. However, if grab samples are collected for parameters normally monitored through composite sampling, the results must be reported.
- J. Laboratory Certification

The Environmental Laboratory Accreditation Act of 2002 requires that all environmental laboratories register with the DEP. An environmental laboratory is any facility engaged in the testing or analysis of environmental samples required by a statute administered by the DEP relating to the protection of the environment or of public health, safety, and welfare.



pennsylvania

DEPARTMENT OF ENVIRONMENTAL PROTECTION

SOUTHEAST REGIONAL OFFICE

RECEIVED
BY: _____

FEB 23 2012

February 21, 2012

RECEIVED
BY: _____

FEB 23 2012

Mr. Louis F. Smith, Jr.
Township Manager
East Goshen Municipal Authority
1580 Paoli Pike
West Chester, PA 19380

Re: Ridley Creek STP
Applebrook Golf Course
Sewage Renewal Application No. 1500410 A1
File Type: WQM Permit
East Goshen Township
Chester County

Dear Mr. Smith:

Your permit is enclosed.

You must comply with all Standard and Special Conditions attached to this permit.

We would like to bring your attention to the Department's new electronic Discharge Monitoring Report (eDMR) program. The program can be accessed through the Internet at www.dep.state.pa.us/edmr and can be used in lieu of paper DMR submissions. Please find enclosed additional information concerning eDMR. We highly encourage your participation in this program.

Any person aggrieved by this action may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. Section 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A, to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717.787.3483. TDD users may contact the Board through the Pennsylvania Relay Service, 800.654.5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at 717.787.3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

Mr. Louis F. Smith, Jr.

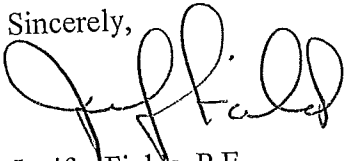
- 2 -

IF YOU WANT TO CHALLENGE THIS ACTION, YOUR APPEAL MUST REACH THE BOARD WITHIN 30 DAYS. YOU DO NOT NEED A LAWYER TO FILE AN APPEAL WITH THE BOARD.

IMPORTANT LEGAL RIGHTS ARE AT STAKE, HOWEVER, SO YOU SHOULD SHOW THIS DOCUMENT TO A LAWYER AT ONCE. IF YOU CANNOT AFFORD A LAWYER, YOU MAY QUALIFY FOR FREE PRO BONO REPRESENTATION. CALL THE SECRETARY TO THE BOARD (717.787.3483) FOR MORE INFORMATION.

If you have any questions, please call Ms. Karen McDaniel at 484.250.5126.

Sincerely,



Jenifer Fields, P.E.
Regional Manager
Water Management

Enclosures

cc: East Goshen Township
Chester County Health Department
Mr. Semanchik - Pennoni Associates, Inc.
Ms. McDaniel, PADEP - SERO
Operations Section
Ms. Lashley
Re 30 (joh1lwqm)363-3



pennsylvania
DEPARTMENT OF ENVIRONMENTAL PROTECTION

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF WATER SUPPLY AND WASTEWATER MANAGEMENT

**WATER QUALITY MANAGEMENT
PERMIT**

PERMIT NO. 1500410

AMENDMENT NO. 1

Renewal

APS ID 752003

AUTH ID 883096

| | | | | |
|---|---|--|---|--|
| A. PERMITTEE (Name and Address): East Goshen Municipal Authority 1580 Paoli Pike West Chester, PA 19380 | | CLIENT ID#: 62683 | B. PRIMARY FACILITY (Name): Ridley Creek STP - (Applebrook Golf Course Spray Irrigation System) | |
| C. LOCATION (Municipality, County): East Goshen Township Chester County | | SITE ID#: 256818 | | |
| D. This permit approves the renewal of sewerage facilities consisting of: 135,000 gpd of diverted, treated effluent from Ridley Creek Sewage Treatment Plant to a 5-million-gallon lagoon (pond) on the golf course. The treated effluent is disposed of by spray irrigation onto 60 acres of the golf course. | | | | |
| Pump Stations: _____ Design Capacity: _____ GPM Average Annual Flow: _____ GPD | Manure Storage: Volume _____ MG Freeboard: _____ inches | | Industrial Wastewater/Sewage Treatment Facility: Annual Average Flow: <u>0.135</u> MGD Design Hydraulic Capacity: <u>0.135</u> MGD Design Organic Capacity: _____ lb/day | |
| E. APPROVAL GRANTED BY THIS PERMIT IS SUBJECT TO THE FOLLOWING: 1. New Permits: All construction, operations, and procedures shall be in accordance with the Water Quality Management Permit application dated _____, its supporting documentation, and addendums dated _____, which are hereby made a part of this permit. Amendments: All construction, operations, and procedures shall be in accordance with the Water Quality Management Permit Amendment application dated _____ and its supporting documentation, and addendums dated _____, which are hereby made a part of this amendment. Except for any herein approved modifications, all terms, conditions, supporting documentation and addendums approved under Water Quality Management Permit No. _____ dated _____ shall remain in effect. Transfers: Water Quality Management Permit No. _____ dated _____ and conditions, supporting documentation and addendums are also made part of this transfer. 2. Permit Conditions Relating to Sewerage are attached and made part of this permit. 3. Special Conditions numbered <u>I-XVIII</u> are attached and made part of this permit. | | | | |
| F. THE AUTHORITY GRANTED BY THIS PERMIT IS SUBJECT TO THE FOLLOWING FURTHER QUALIFICATIONS: 1. If there is a conflict between the application or its supporting documents and amendments and the attached conditions, the attached conditions shall apply. 2. Failure to comply with the rules and regulations of DEP or with the terms or conditions of this permit shall void the authority given to the permittee by the issuance of this permit. 3. This permit is issued pursuant to the Clean Streams Law Act of June 22, 1937, P.L. 1987, <u>as amended</u> 35 P.S. §691.1 <i>et seq.</i> Issuance of this permit shall not relieve the permittee of any responsibility under any other law. | | | | |
| PERMIT ISSUED: February 21, 2012 | | BY: <u>[Signature]</u> TITLE: <u>Water Management Program Manager</u> | | |

**Sewerage Permit No. 1500410
East Goshen Municipal Authority
East Goshen Township, Chester County**

This permit is subject to the following Special Condition(s):

I. Groundwater Monitoring Requirements

The permittee shall effectively monitor the quality of the groundwater. The parameters to be tested and frequency of analysis and other monitoring requirements shall be as follows:

- Quarterly analysis of groundwater sampled at groundwater monitoring wells MW-1, MW-2, and MW-3 shall consist of: static water level, sampling depth, turbidity, pH, chloride, total phosphates, ammonia nitrogen, nitrate nitrogen, nitrite nitrogen, total dissolved solids, fecal coliform, and alkalinity.
- All groundwater monitoring wells shall be properly purged prior to collection of the groundwater sample.
- All groundwater samples shall be collected from within the top five feet of the water elevation within the well column.

II. Groundwater Monitoring Data Reporting Requirements

All groundwater data shall be submitted to the Department of Environmental Protection (Department) **annually** and be in **report form**. The report shall be due to the Department within 28 days of the end of your annual permit cycle. For example, if your permit was issued on March 4, 2008, then your Annual Report is due by April 28, 2009. The Annual Report shall be mailed under separate cover and addressed to:

Department of Environmental Protection
Southeast Regional Office
Water Management Program
2 East Main Street
Norristown, PA 19401

Attention: Hydrogeologist
Planning Section

The annual groundwater monitoring report shall include the following information:

1. General Information
 - A. Facility name
 - B. Facility permit number
 - C. Facility location (including municipality and county)

- D. Facility contact information:
- Permittee name, address, and telephone number
 - Contact name and title
 - Facility operator name, address, and telephone number
 - Facility consultant name, address, and telephone number
2. Site Information
- A. Brief narrative, including site limitations.
- B. Soil type and bedrock lithology beneath the absorption areas.
- C. Site drawings showing general location of absorption fields and monitoring wells. Drawings must show site topography.
3. Construction details of each groundwater monitoring well shall include:
- A. Well depth.
- B. Casing depth.
- C. Static water levels.
- D. Surface elevation.
- E. Well log.
- F. Water bearing zones.
- G. Top of casing elevation.
- H. Ground surface elevation.
4. Site History
- A. Date site 537 approval issued.
- B. Date site permit issued.
- C. Date groundwater monitoring began.
- D. Date treatment plant started operation.
- E. Date land application of treated wastewater started.
- F. Date of any additional permit actions and description of actions (e.g., waiver of special conditions or anything else which may impact content within this permit). Include copy of any correspondence in correspondence section.
- G. Date and description of any enforcement action.
- H. Date and description of any facility event which impacted any part of the facility, including the groundwater monitoring wells, whether or not it resulted in an enforcement action (e.g., irrigation pump failure, collapse of groundwater monitoring well, etc.).

5. Site Data

- A. Average effluent flow for the year covered by the report.
- B. In tabular form, the following information needs to be provided for at least the last 5 years of system operation:
 - i. Date of sampling.
 - ii. Groundwater elevation.
 - iii. Sampling depth.
 - iv. Identification of upgradient and downgradient wells.
 - v. The results of the analysis of the samples.
- C. Background groundwater data generated prior to system startup. **This information is absolutely needed.**

6. Correspondence

This section shall contain copies of correspondence with the Department relevant to system operations. Correspondence to be included is the following:

- A. Recent permit modifications or amendments.
- B. Any approvals related to facility operation.
- C. Enforcement actions, including NOVs.
- D. Any other correspondence pertinent to system operation.

7. Comprehensive Groundwater Evaluation (CGE)

As part of the facility's 5-year permit renewal application, the permittee shall submit a report that is a result of a comprehensive evaluation of the systems impact on groundwater. A Registered P.G. must identify any trends which may pose a threat to human health or certify that none are present. Should adverse impacts to groundwater be identified, the permittee needs to recommend actions to address the potential threat.

- III. Effective disinfection to control disease producing organisms shall be the production of an effluent which will contain a concentration not greater than 200/100 ml of Fecal Coliform organisms, as a geometric average value nor greater than 1,000/100 ml of these organisms in more than 10 percent of the samples tested.
- IV. If there is a change in ownership of this facility or in permittee name, an application for transfer of permit must be submitted to the Department.
- V. Copies of monthly Discharge Monitoring Reports must be submitted within 28 days of the end of the monitoring period to:

Department of Environmental Protection
 Southeast Regional Office
 Water Management
 2 East Main Street
 Norristown, PA 19401

- VI. The water level, within the impoundments, shall be controlled so that a freeboard of at least 24 inches is maintained at all times.
- VII. Spray irrigation shall not occur on frozen soil or during prolonged or heavy rainfall events. Effluent may not be applied if more than 0.5 inches of rainfalls during the previous 24-hour period.
- VIII. If the effluent from the, herein approved, sewage treatment facilities creates a health hazard or nuisance, the permittee shall, upon notice from the Department, provide such additional treatment as may be required by the Department.

IV. **Discharge Limitations and Monitoring Requirements**

Effluent from the sewage treatment plant shall be sampled from the effluent port at the pump station and shall be limited at all times as follows:

| Parameter | Discharge Limitations (mg/l) | | | Monitoring Requirements | |
|-------------------|---|----------------|-----------------------|-------------------------|------------------|
| | Average Monthly | Average Weekly | Instantaneous Maximum | Measurement Frequency | Sample Type |
| Flow (mgd) | 0.135 | | | Continuous | Recorded |
| CBOD ₅ | 25 | 40 | 50 | 1/Month | 8 Hour Composite |
| Suspended Solids | 30 | 45 | 60 | 1/Month | 8 Hour Composite |
| Fecal Coliform | 200/100 ml as geometric average | | | 1/Month | Grab |
| pH | Within limits of 6.0 to 9.0 standard units at all times | | | 1/Month | Grab |

*Total Nitrogen = Total Kjeldahl Nitrogen + Nitrite (NO₂) + Nitrate (NO₃)

Additional treatment requirements include the satisfactory disposal of sludge and the reduction of quantities of oils, greases, acids, alkalis, toxic, taste, and odor producing substances, inimical to the public interest to levels which will not pollute the receiving waters. Monitoring results shall be reported monthly on the Discharge Monitoring Report (DMR). The term "composite" sample means a combination of individual samples collected at regular intervals over a time period. The term "grab" sample means an individual sample collected in less than 15 minutes. Samples and measurements taken as required, herein, shall be representative of the volume and nature of the monitored discharge.

- X. The authorization to discharge contained in Section C of this permit shall expire in 5 years from the date of issuance, or reissuance. Application for renewal of this permit, or notification of intent to cease discharging by the expiration date, must be submitted to the Department at least 180 days prior to the above expiration date (unless permission has been granted by the Department for submission at a later date). In the event that a timely and complete application for renewal has been submitted and the Department is unable, through no fault of the permittee, to reissue the permit before the above expiration date, the terms and conditions of this permit will be automatically continued and will remain fully effective and enforceable pending the grant or denial of the application for permit renewal. The application for renewal shall be submitted on the appropriate Water Quality Management Part II Application forms and shall include a tabulated summary of all groundwater monitoring data for the previous 5 years, including a discussion of groundwater quality trends resulting from this discharge.
- XI. Unless, otherwise, specified in this permit, the test procedures for analysis of pollutants shall be those contained in 40 C.F.R. Part 136, or alternative test procedures approved pursuant to that Part. For the analysis of CBOD₅, consult Section 507 of Standard Methods.
- XII. Application of effluent shall be managed to prevent runoff of effluent from the permitted sprayfield and ponding of effluent in the spray area.
- XIII. **Sprayfield Hydraulic Loading Requirements**

The recorded effluent flow to the Applebrook Golf Course must be consistent with the maximum hydraulic loading rates per week shown in the following table (the maximum hydraulic rates per week cannot be exceeded):

| Month | Number of Spray Days | Application Rate Inches/Acre/Week | Maximum Hydraulic – Loading in Gallons per Week on 60 Acres of Wetted Golf Course Area |
|-----------|----------------------|-----------------------------------|--|
| January | 0 | | |
| February | 0 | | |
| March | 0 | | |
| April | 27 | 0.6 | 945,000 |
| May | 31 | 0.6 | 945,000 |
| June | 30 | 0.6 | 945,000 |
| July | 31 | 0.6 | 945,000 |
| August | 31 | 0.6 | 945,000 |
| September | 30 | 0.6 | 945,000 |
| October | 31 | 0.6 | 945,000 |
| November | 0 | | |
| December | 0 | | |

At no time shall the application rate exceed 0.199-inch per hour for any spray area. The wastewater application shall be determined by the golf course manager based on turf conditions and best golf course management practices.

During drought emergency, the treated wastewater from the Ridley Creek sewage treatment plant for spray application shall be pumped directly to the wet well serving the spray pumps. The wastewater may be sprayed on greens, trees, fairways, and rough areas of the golf course.

- XIV. If the permittee monitors any pollutant more frequently than the permit requires, the results of this monitoring shall be incorporated, as appropriate, into the calculations used to report self-monitoring data on the DMR.

XV. **Recording of Results**

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

1. The exact place, date, and time of sampling or measurement.
2. The person(s) who performed the sampling or measurement.
3. The dates the analyses were performed.
4. The person(s) who performed the analyses.
5. The analytical techniques or methods used.
6. The results of such analyses.

XVI. **Recordkeeping and Retention**

The permittee shall keep records of operation and efficiency of the wastewater treatment facilities. All records of monitoring activities and results (including all original strip chart recordings for continuous monitoring instrumentation and calibration and maintenance records), copies of all reports required by this permit, and records of all data used to complete the application for this permit shall be retained by the permittee for three (3) years. The three-year period shall be extended as requested by the Department.

- XVII. Consistent with Department policy, the Department did not conduct a detailed technical review of the application for this permit. The Department considers the registered professional engineer whose seal is affixed to the design documents, to be fully responsible for the adequacy of all aspects of the facility design.

XVIII. **Laboratory Certification**

The Environmental Laboratory Accreditation Act of 2002 requires that all environmental laboratories register with the Department. An environmental laboratory is any facility engaged in the testing or analysis of environmental samples required by a statute administered by the Department relating to the protection of the environment or of public health, safety, and welfare.



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF WATER STANDARDS AND FACILITY REGULATION
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)

DISCHARGE MONITORING REPORT (DMR)

| | | | | | |
|--|--|-----------------------|----|----------------------------------|----------------|
| PRIMARY FACILITY: Ridley Creek STP Applebrook Golf Course - Site id. 256818 | | 1500410-A1 Renewal | | Effluent Port @ Ridley Creek STP | |
| CLIENT: East Goshen Municipal Authority Client id. 62683 | | PERMIT NUMBER | | DISCHARGE | |
| ADDRESS: 1580 Paoli Pike | | MONITORING PERIOD | | | |
| MUNICIPALITY: West Chester, PA 19380 | | YEAR | MO | DAY | TO YEAR MO DAY |
| COUNTY: Chester County | | | | | |

PERMIT EXPIRES: 02-28-2017

PERMIT APPLICATION DUE: 09-01-2016

☐ Check here if No Discharge

NOTE: Read instructions before completing this form

| PARAMETER | QUANTITY OR LOADING | | | QUALITY OR CONCENTRATION | | | | NO. EX | FREQUENCY OF ANALYSIS | SAMPLE TYPE |
|------------------------|---------------------|----------------|-------|--------------------------|-----------------|--------------------|------------|--------|-----------------------|-------------|
| | MONTHLY AVERAGE | WEEKLY AVERAGE | UNITS | INST. MINIMUM | MONTHLY AVERAGE | AVERAGE WEEKLY | UNITS | | | |
| FLOW | Sample Measurement | | | | XXXX | XXXX | XXXX | | | |
| | Permit Requirement | | | MGD | XXXX | XXXX | XXXX | | CONTINUOUS | METER |
| PH | Sample Measurement | .135 | | | XXXX | XXXX | | | | |
| | Permit Requirement | | | | XXXX | XXXX | STD INITS | | 1/MONTH | GRAB |
| CBOD | Sample Measurement | XXXX | | | 6.0 XXXX | 9.0 INST MAX XXXX | | | | |
| | Permit Requirement | | | | XXXX | XXXX | | | | |
| TOTAL SUSPENDED SOLIDS | Sample Measurement | XXXX | | | XXXX | 25 | MG/L | | 1/MONTH | 8HC |
| | Permit Requirement | | | | XXXX | | | | | |
| FECAL COLIFORM | Sample Measurement | XXXX | | | XXXX | 30 | MG/L | | 1/MONTH | 8HC |
| | Permit Requirement | | | | XXXX | XXXX | | | | |
| | Sample Measurement | XXXX | | | XXXX | 200 GEOMETRIC MEAN | #COL/100ML | | 1/MONTH | GRAB |
| | Permit Requirement | | | | XXXX | XXXX | | | | |
| | Sample Measurement | | | | | | | | | |
| | Permit Requirement | | | | | | | | | |

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER

I certify under penalty of law that this document was prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. See 18 Pa.C.S.A. § 4904 (relating to unsworn falsification).

TELEPHONE

DATE

TYPE OR PRINT

SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT

AREA CODE

NUMBER

YEAR

MO

DAY

COMMENTS (Report all violations on the "Non-Compliance Reporting Form")



pennsylvania
EMERGENCY MANAGEMENT AGENCY
DEPUTY DIRECTOR FOR ADMINISTRATION

February 16, 2012

Ms. Barbara Phillips
Applicant's Agent
Township of East Goshen
1580 Paoli Pike
West Chester, PA 19380

Re: FEMA-4025-DR-PA-029-21192-00
Township of East Goshen
Chester County

16c
RECEIVED
BY: _____
FEB 23 2012

Dear Ms. Phillips:

Payment under the Public Assistance Program for Disaster 4025, FEMA-4025-DR in the amount of \$17,930.59 will be electronically transferred to your account in about three to four weeks from the date of this letter. The breakdown of this amount can be found on the Project Worksheet Enclosure.

Please note that all documentation related to this grant such as time sheets, payroll records, cancelled checks, equipment logs, contracts, invoices, correspondence, etc., must be maintained for a period of seven (7) years from receipt of this official closeout letter or audit, whichever is later.

All work described on approved Project Worksheets must be completed by the deadlines for this disaster. Emergency Work (Category A & B) should have been completed by 3/3/2012 and Permanent Work (Category C-G) should have been completed by 3/3/2013. A written extension request must be submitted for Project Worksheets when work will not be completed by the deadline and when there is a reason for not completing the work that is beyond the control of the applicant. If you need an extension, please complete the PEMA DAP 15 form and forward to Pennsylvania Emergency Management Agency (PEMA) (Attn: Public Assistance) thirty days prior to the disaster deadline. Failure to continue work without an approved extension could be cause for the loss of funding for that Project Worksheet.

Applicants are required to file a PEMA DAP-12 form (Completed Project Listing and Claim for Reimbursement) within 60 days of completion of projects. Small and large projects are reported separately. Once all small projects are completed, a single PEMA DAP-12 form must be submitted combining all small projects on the same form. Each large project (\$63,900.00 or greater) must be submitted on a separate PEMA DAP-12 form and be accompanied by supporting cost documentation. For large projects this includes, but may not be limited to; contracts, invoices, cancelled checks, force account records and other pertinent documents. Please submit these forms to PEMA (Attn: Public Assistance) at the address at the bottom of the sheet or by fax (717) 651-2150 or email as an attachment to RA_EMBORM@pa.gov.

Applicants must return interest earned in excess of \$100 per year (44 CFR §13.21). The interest earned in excess of \$100 per year must be returned quarterly. Please return the excess interest earned on this grant to PEMA (Attn: Fiscal Division).

If you decide to appeal any decisions regarding the provision of assistance, you must file the written appeal with PEMA (Attn: Public Assistance) within 60 days of this letter or within 60 days after receipt of notification of the action which is being appealed (44 CFR §206.206).

Township of East Goshen
FEMA-4025-DR-PA-029-21192-00

You are subject to audit requirements and may be subject to the Single Audit Act Amendments of 1996 (31 U.S.C. § 7501 et seq.). Please refer to Attachment A of the Public Disaster Assistance Application and Agreement for Financial Assistance (PEMA-DAP-1) for further details concerning the audit requirements. If you are subject to the Single Audit Act, you should provide the amount of federal assistance and the following grant information to your auditor:

| | |
|----------------------|--------------------------|
| Program Name | Public Assistance Grants |
| CFDA Number | 97.036 |
| Federal Grant Agency | FEMA |

If you have any questions related to the Public Assistance Program and the work/cost eligibility, please call 1-800-635-9692. If you have any questions related to your payment, please contact Fiscal Division at kadurham@pa.gov or (717) 651-2147.

Sincerely,



David L. Holl

Governor's Authorized Representative

kd
Enclosures

cc: Edward J. Atkins, Director, Chester County
Tony J. Camillocci, Director

Township of East Goshen
FEMA-4025-DR-PA-029-21192-00

16 d

Memo

To: Board of Supervisors

From: Tia Piccolo

Date: February 28, 2012

Re: Health Insurance Comparison 2011 v. 2012

When comparing 2011 to 2012 health insurance:

In 2011 there were 12 employees who elected PPO, and 7 with Keystone HMO, 3 employees opted out of insurance.

The Township's annual gross for health insurance in 2011 was \$311,011.80.

In 2012 there are 11 employees who elected the HDHP, and 8 with the HMO 3.1. Again, the same 3 employees opted out of insurance.

The Township's annual gross for health insurance for 2012 is slated to be \$236,837.76.

This is an annual savings of \$74,174.04, which represents a savings of 23% from 2011.

16e

BOARD OF SUPERVISORS
EAST GOSHEN TOWNSHIP
CHESTER COUNTY
1580 PAOLI PIKE, WEST CHESTER, PA 19380-6199

March 1, 2012

Dear Property Owner:

The purpose of this letter is to inform you that Camp K-9 Paradise for Paws, LLC, has submitted a Conditional Use application to operate a Kennel / Dog Daycare Operation at 1303 West Chester Pike, formerly the Benjamin Moore Paint store. The property is located in the C-1, Community Commercial Zoning District, where kennels are permitted by conditional use pursuant to §240-14.C.(12) of the Township Zoning Ordinance.

Pursuant to Township policy, property owners within 1000 feet of the subject property are notified of Conditional Use applications.

The meeting dates and times scheduled for the review and discussion of this application are outlined below and subject to change.

March 7, 2012

Planning Commission meeting (workshop at 7:00 pm, formal meeting @ 7:30 pm)
(Presentation of Application)

April 4, 2012

Planning Commission meeting (workshop at 7:00 pm, formal meeting at 7:30 pm)

April 17, 2012

Board of Supervisors meeting (7:00 pm) **(Conditional Use Hearing)**

The hearing will be held at the Township Administration Building, 1580 Paoli Pike, and are open to the public. The application is available for public review during normal business hours at the Township Administration Building. If any person who wishes to attend the hearing has a disability and/or requires an auxiliary aid service or other accommodation to observe or participate in the hearing, he or she should contact the Township at 610-692-7171 to discuss how those needs may be accommodated.

Please give me a call or email me at mgordon@eastgoshen.org if you have any questions or need additional information.

Sincerely,



Mark A. Gordon
Township Zoning Officer

Cc: All Township Authorities, Boards and Commissions

16f



February 29, 2012

Dear Ms. Isayeff

Clean Water Action, a national environmental organization that has been working in Pennsylvania for over twenty years, is very interested in the new MS4 permits that communities will submit to DEP. We are especially interested in the 5th BMP under the Post-Construction Stormwater Management MCM, the one that calls for towns to evaluate the LID friendliness of their local code.

The Center for Watershed Protection has an excellent tool for evaluating local code's commitment to LID, called the "Code and Ordinance Worksheet." We are using the tool to evaluate code in SEPA, and would like to share our findings about East Goshen with you.

We did our best to fairly evaluate all the questions in the tool in light of East Goshen's code, and **found an LID score which currently stands at 56**. Enclosed, you will find a copy of the same scoring system that we utilized and I will refer to it below. These are the questions for which we were not able to award points to East Goshen; however, in many cases, we simply failed to find the matter addressed in the Code. If it is dealt with, please advise us:

- 1. Street Width, question #2
- 3. Right-Of-Way Width, question #1
- 4. Cul-de-Sacs, question #3
- 5. Vegetated Open Channels, question #1
- 6. Parking Ratios, questions #1-2 and #4
- 7. Parking Codes, questions #3-4
- 8. Parking Lots
- 9. Structured Parking
- 12. Setbacks and Frontages, questions #2-5
- 13. Sidewalks, question #3
- 14. Driveways, questions #1-2
- 16. Rooftop Runoff
- 17. Buffer Systems, question #2
- 18. Buffer Maintenance, question #2-3



CLEAN WATER ACTION

PENNSYLVANIA

- 19. Clearing and Grading, question #2
- 22. Stormwater Outfalls, question #4

If you have any questions related to the results of our review or you believe we may have missed something please feel free to contact us at 215-545-0250. We hope to write a report about the LID scores of communities in SEPA. It may be several months before we do so however. Please give us feedback on these results and help us to award East Goshen more points for your current code.

We also hope you will consider using the enclosed tool as guidance to find some ways to meet BMP 5 under MCM 5. If there is some way we can help in that endeavor, please let us know.

Making some very simple changes can make a world of difference for public health in the southeast over time. Thank you for your consideration and we look forward to working with you.

Yours truly,

Joe Nye
Community Organizer

CC:

Louis (Rick) Smith – East Goshen Township Manager

Mark Gordon – East Goshen Township Zoning Officer


CODE AND ORDINANCE WORKSHEET

About the Adobe Acrobat Form

Note: Acrobat Reader will not save the information entered into a form. Saving changes is only possible with a full version of Acrobat.

- The blue fields indicate that an answer is required.
- The gray fields are for notes and are not required, but highly recommended.
- The green fields will automatically summarize the points – no input is needed here.

To fill out a form:

1. Select the hand tool .
2. Position the pointer inside a form field, and click. The I-beam pointer allows you to type text. If your pointer appears as a pointing finger, you can select an item from a list (i.e., YES or NO).
3. After entering text or making a selection, press Tab to accept the form field change and go to the next or previous field.
4. Once you have filled in the appropriate form fields, do both of the following:
 - Choose File > Export > Form Data to save the form data in a separate FDF file. Type a filename and click save.
 - Print the form so that you have a hard copy for your records.

And Most Importantly...

Send CWP a copy! Let us know how you did!

The Code and Ordinance Worksheet allows an in-depth review of the standards, ordinances, and codes (i.e., the development rules) that shape how development occurs in your community. You are guided through a systematic comparison of your local development rules against the model development principles. Institutional frameworks, regulatory structures and incentive programs are included in this review. The worksheet consists of a series of questions that correspond to each of the model development principles. Points are assigned based on how well the current development rules agree with the site planning benchmarks derived from the model development principles.

The worksheet is intended to guide you through the first two steps of a local site planning roundtable.

Step 1: Find out what the Development Rules are in your community.

Step 2: See how your rules stack up to the Model Development Principles.

The homework done in these first two steps helps to identify which development rules are potential candidates for change.

PREPARING TO COMPLETE THE CODE AND ORDINANCE WORKSHEET

Two tasks need to be performed before you begin in the worksheet. First, you must identify all the development rules that apply in your community. Second, you must identify the local, state, and federal authorities that actually administer or enforce the development rules within your community. Both tasks require a large investment of time. The development process is usually shaped by a complex labyrinth of regulations, criteria, and authorities. A team approach may be helpful. You may wish to enlist the help of a local plan reviewer, land planner, land use attorney, or civil engineer. Their real-world experience with the development process is often very useful in completing the worksheet.

Identify the Development Rules

Gather the key documents that contain the development rules in your community. A list of potential documents to look for is provided in Table 1. Keep in mind that the information you may want on a particular development rule is not always found in code or regulation, and maybe hidden in supporting design manuals, review checklists, guidance document or construction specifications. In most cases, this will require an extensive search. Few communities include all of their rules in a single document. Be prepared to contact state and federal, as well as local agencies to obtain copies of the needed documents.

Table 1: Key Local Documents that will be Needed to Complete the COW

| |
|--|
| Zoning Ordinance |
| Subdivision Codes |
| Street Standards or Road Design Manual |
| Parking Requirements |
| Building and Fire Regulations/Standards |
| Stormwater Management or Drainage Criteria |
| Buffer or Floodplain Regulations |
| Environmental Regulations |
| Tree Protection or Landscaping Ordinance |
| Erosion and Sediment Control Ordinances |
| Public Fire Defense Masterplans |
| Grading Ordinance |

Identify Development Authorities

Once the development rules are located, it is relatively easy to determine which local agencies or authorities are actually responsible for administering and enforcing the rules. Completing this step will provide you with a better understanding of the intricacies of the development review process and helps identify key members of a future local roundtable. Table 2 provides a simple framework for identifying the agencies that influence development in your community. As you will see, space is provided not only for local agencies, but for state and federal agencies as well. In some cases, state and federal agencies may also exercise some authority over the local development process (e.g., wetlands, some road design, and stormwater).

USING THE WORKSHEET: HOW DO YOUR RULES STACK UP TO THE MODEL DEVELOPMENT PRINCIPLES?

Completing the Worksheet

Once you have located the documents that outline your development rules and identified the authorities responsible for development in your community, you are ready for the next step. You can now use the worksheet to compare your development rules to the model development principles. The worksheet is presented at the end of this chapter. The worksheet presents seventy-seven site planning benchmarks. The benchmarks are posed as questions. Each benchmark focuses on a specific site design practice, such as the minimum diameter of cul-de-sacs, the minimum width of streets, or the minimum parking ratio for a certain land use. You should refer to the codes, ordinances, and plans identified in the first step to determine the appropriate development rule. The questions require either a yes or no response or specific numeric criteria. If your development rule agrees with the site planning benchmark, you are awarded points.

Calculating Your Score

A place is provided on each page of the worksheet to keep track of your running score. In addition, the worksheet is subdivided into three categories:

- Residential Streets and Parking Lots (Principles No. 1 - 10)
- Lot Development (Principles No. 11 - 16)
- Conservation of Natural Areas (Principles No. 17 - 22).

For each category, you are asked to subtotal your score. This "**Time to Assess**" allows you to consider which development rules are most in line with the site planning benchmarks and what rules are potential candidates for change.

The total number of points possible for all of the site planning benchmarks is 100. Your overall score provides a general indication of your community's ability to support environmentally sensitive development. As a general rule, if your overall score is lower than 80, then it may be advisable to systematically reform your local development rules. A score sheet is provided at end of the Code and Ordinance Worksheet to assist you in determining where your community's score places in respect to the Model Development Principles. Once you have completed the worksheet, go back and review your responses. Determine if there are specific areas that need improvement (e.g., development rules that govern road design) or if your development rules are generally pretty good. This review is key to implementation of better development: assessment of your current development rules and identification of impediments to innovative site design. This review also directly leads into the next step: a site planning roundtable process conducted at the local government level. The primary tasks of a local roundtable are to systematically review existing development rules and then determine if changes can or should be made. By providing a much-needed framework for overcoming barriers to better development, the site planning roundtable can serve as an important tool for local change.

Table 2: Local, State, and Federal Authorities Responsible for Development in Your Community

| Development Responsibility | | State/Federal | County | Town |
|---|---------------|---------------|--------|------|
| Sets road standards | Agency: | | | |
| | Contact Name: | | | |
| | Phone No.: | | | |
| Review/approves subdivision plans | Agency: | | | |
| | Contact Name: | | | |
| | Phone No.: | | | |
| Establishes zoning ordinances | Agency: | | | |
| | Contact Name: | | | |
| | Phone No.: | | | |
| Establishes subdivision ordinances | Agency: | | | |
| | Contact Name: | | | |
| | Phone No.: | | | |
| Reviews/establishes stormwater management or drainage criteria | Agency: | | | |
| | Contact Name: | | | |
| | Phone No.: | | | |
| Provides fire protection and fire protection code enforcement | Agency: | | | |
| | Contact Name: | | | |
| | Phone No.: | | | |
| Oversees buffer ordinance | Agency: | | | |
| | Contact Name: | | | |
| | Phone No.: | | | |
| Oversees wetland protection | Agency: | | | |
| | Contact Name: | | | |
| | Phone No.: | | | |
| Establishes grading requirements or oversees erosion and sediment control program | Agency: | | | |
| | Contact Name: | | | |
| | Phone No.: | | | |
| Reviews/approves septic systems | Agency: | | | |
| | Contact Name: | | | |
| | Phone No.: | | | |
| Review/approves utility plans (e.g., water and sewer) | Agency: | | | |
| | Contact Name: | | | |
| | Phone No.: | | | |
| Reviews/approves forest conservation/tree protection plans | Agency: | | | |
| | Contact Name: | | | |
| | Phone No.: | | | |

1. Street Width

What is the minimum pavement width allowed for streets in low density residential developments that have less than 500 daily trips (ADT)?

 feet

If your answer is between **18-22 feet**, give yourself **4 points** . .

At higher densities are parking lanes allowed to also serve as traffic lanes (i.e., queuing streets)?

 YES

If your answer is **YES**, give yourself **3 points** . .

Notes on Street Width (include source documentation such as name of document, section and page #):

2. Street Length

Do street standards promote the most efficient street layouts that reduce overall street length?

 YES

If your answer is **YES**, give yourself **1 point** . .

Notes on Street Length (include source documentation such as name of document, section and page #):

3. Right-of-Way Width

What is the minimum right of way (ROW) width for a residential street?

 feet

If your answer is **less than 45 feet**, give yourself **3 points** . .

Does the code allow utilities to be placed under the paved section of the ROW?

 YES

If your answer is **YES**, give yourself **1 point** . .

Notes on ROW Width (include source documentation such as name of document, section and page #):

4. Cul-de-Sacs

What is the minimum radius allowed for cul-de-sacs?

 feet

If your answer is **less than 35 feet**, give yourself **3 points** . .

If your answer is **36 feet to 45 feet**, give yourself **1 point** . .

Can a landscaped island be created within the cul-de-sac?

 YES

If your answer is **YES**, give yourself **1 point** . .

Are alternative turnarounds such as "hammerheads" allowed on short streets in low density residential developments?

 YES

If your answer is **YES**, give yourself **1 point** . .

Notes on Cul-de-Sacs (include source documentation such as name of document, section and page #):

5. Vegetated Open Channels

Are curb and gutters required for most residential street sections?

YES

If your answer is **NO**, give yourself 2 points • •

Are there established design criteria for swales that can provide stormwater quality treatment (i.e., dry swales, biofilters, or grass swales)?

YES

If your answer is **YES**, give yourself 2 points • •

Notes on Vegetated Open Channel (include source documentation such as name of document, section and page #):

6. Parking Ratios

What is the minimum parking ratio for a professional office building (per 1000 ft² of gross floor area)?

spaces

If your answer is **less than 3.0 spaces**, give yourself 1 point • •

What is the minimum required parking ratio for shopping centers (per 1,000 ft² gross floor area)?

spaces

If your answer is **4.5 spaces or less**, give yourself 1 point • •

What is the minimum required parking ratio for single family homes (per home)?

spaces

If your answer is **less than or equal to 2.0 spaces**, give yourself 1 point • •

Are your parking requirements set as maximum or median (rather than minimum) requirements?

YES

If your answer is **YES**, give yourself 2 points • •

Notes on Parking Ratios (include source documentation such as name of document, section and page #):

7. Parking Codes

Is the use of shared parking arrangements promoted?

YES

If your answer is **YES**, give yourself 1 point • •

Are model shared parking agreements provided?

YES

If your answer is **YES**, give yourself 1 point • •

Are parking ratios reduced if shared parking arrangements are in place?

YES

If your answer is **YES**, give yourself 1 point • •

If mass transit is provided nearby, is the parking ratio reduced?

YES

If your answer is **YES**, give yourself 1 point • •

Notes on Parking Codes (include source documentation such as name of document, section and page #):

8. Parking Lots

What is the minimum stall width for a standard parking space?

If your answer is **9 feet or less**, give yourself **1 point** • •

What is the minimum stall length for a standard parking space?

If your answer is **18 feet or less**, give yourself **1 point** • •

Are at least 30% of the spaces at larger commercial parking lots required to have smaller dimensions for compact cars?

If your answer is **YES**, give yourself **1 point** • •

Can pervious materials be used for spillover parking areas?

If your answer is **YES**, give yourself **2 points** • •

Notes on Parking Lots (include source documentation such as name of document, section and page #):

9. Structured Parking

Are there any incentives to developers to provide parking within garages rather than surface parking lots?

If your answer is **YES**, give yourself **1 point** • •

Notes on Structured Parking (include source documentation such as name of document, section and page #):

10. Parking Lot Runoff

Is a minimum percentage of a parking lot required to be landscaped?

If your answer is **YES**, give yourself **2 points** • •

Is the use of bioretention islands and other stormwater practices within landscaped areas or setbacks allowed?

If your answer is **YES**, give yourself **2 points** • •

Notes on Parking Lot Runoff (include source documentation such as name of document, section and page #):

- • **Time to Assess:** Principles 1 - 10 focused on the codes, ordinances, and standards that determine the size, shape, and construction of parking lots, roadways, and driveways in the suburban landscape. There were a total of 40 points available for Principles 1 - 10. What was your total score?

Subtotal Page 5 + Subtotal Page 6 + Subtotal Page 7 =

Where were your codes and ordinances most in line with the principles? What codes and ordinances are potential impediments to better development?

11. Open Space Design

Are open space or cluster development designs allowed in the community?

If your answer is **YES**, give yourself 3 points • •

If your answer is **NO**, skip to question No. 12

Is land conservation or impervious cover reduction a major goal or objective of the open space design ordinance?

If your answer is **YES**, give yourself 1 point • •

Are the submittal or review requirements for open space design greater than those for conventional development?

If your answer is **NO**, give yourself 1 point • •

Is open space or cluster design a by-right form of development?

If your answer is **YES**, give yourself 1 point • •

Are flexible site design criteria available for developers that utilize open space or cluster design options (e.g., setbacks, road widths, lot sizes)?

If your answer is **YES**, give yourself 2 points • •

Notes on Open Space Design (include source documentation such as name of document, section and page #):

12. Setbacks and Frontages

Are irregular lot shapes (e.g., pie-shaped, flag lots) allowed in the community?

If your answer is **YES**, give yourself **1 point** • •

What is the minimum requirement for front setbacks for a one half (½) acre residential lot?

If your answer is **20 feet or less**, give yourself **1 point** • •

What is the minimum requirement for rear setbacks for a one half (½) acre residential lot?

If your answer is **25 feet or less**, give yourself **1 point** • •

What is the minimum requirement for side setbacks for a one half (½) acre residential lot?

If your answer is **8 feet or less**, give yourself **1 points** • •

What is the minimum frontage distance for a one half (½) acre residential lot?

If your answer is **less than 80 feet**, give yourself **2 points** • •

Notes on Setback and Frontages (include source documentation such as name of document, section and page #):

13. Sidewalks

What is the minimum sidewalk width allowed in the community?

If your answer is **4 feet or less**, give yourself **2 points** • •

Are sidewalks always required on both sides of residential streets?

If your answer is **NO**, give yourself **2 points** • •

Are sidewalks generally sloped so they drain to the front yard rather than the street?

If your answer is **YES**, give yourself **1 point** • •

Can alternate pedestrian networks be substituted for sidewalks (e.g., trails through common areas)?

If your answer is **YES**, give yourself **1 point** • •

Notes on Sidewalks (include source documentation such as name of document, section and page #):

14. Driveways

What is the minimum driveway width specified in the community?

If your answer is **9 feet or less (one lane) or 18 feet (two lanes)**, give yourself **2 points** • •

Can pervious materials be used for single family home driveways (e.g., grass, gravel, porous pavers, etc)?

YES

If your answer is **YES**, give yourself 2 points • •

Can a "two track" design be used at single family driveways?

YES

If your answer is **YES**, give yourself 1 point • •

Are shared driveways permitted in residential developments?

YES

If your answer is **YES**, give yourself 1 point • •

Notes on Driveways (include source documentation such as name of document, section and page #):

15. Open Space Management

Skip to question 16 if open space, cluster, or conservation developments are not allowed in your community.

Does the community have enforceable requirements to establish associations that can effectively manage open space?

YES

If your answer is **YES**, give yourself 2 points • •

Are open space areas required to be consolidated into larger units?

YES

If your answer is **YES**, give yourself 1 point • •

Does a minimum percentage of open space have to be managed in a natural condition?

YES

If your answer is **YES**, give yourself 1 point • •

Are allowable and unallowable uses for open space in residential developments defined?

YES

If your answer is **YES**, give yourself 1 point • •

Can open space be managed by a third party using land trusts or conservation easements?

YES

If your answer is **YES**, give yourself 1 point • •

Notes on Open Space Management (include source documentation such as name of document, section and page #):

16. Rooftop Runoff

Can rooftop runoff be discharged to yard areas?

YES

If your answer is **YES**, give yourself 2 points • •

Do current grading or drainage requirements allow for temporary ponding of stormwater on front yards or rooftops?

YES

If your answer is **YES**, give yourself 2 points • •

Notes on Rooftop Runoff (include source documentation such as name of document, section and page #):

• • **Time to Assess:** Principles 11 through 16 focused on the regulations which determine lot size, lot shape, housing density, and the overall design and appearance of our neighborhoods. There were a total of **36** points available for Principles 11 - 16. What was your total score?

Subtotal Page 8 + Subtotal Page 9 + Subtotal Page 10 =

Where were your codes and ordinances most in line with the principles? What codes and ordinances are potential impediments to better development?

17. Buffer Systems

Is there a stream buffer ordinance in the community?

If your answer is **YES**, give yourself **2 points** . . .

If so, what is the minimum buffer width?

feet

If your answer is **75 feet or more**, give yourself **1 point** . . .

Is expansion of the buffer to include freshwater wetlands, steep slopes or the 100-year floodplain required?

If your answer is **YES**, give yourself **1 point** . . .

Notes on Buffer Systems (include source documentation such as name of document, section and page #):

18. Buffer Maintenance

If you do not have stream buffer requirements in your community, skip to question No. 19

Does the stream buffer ordinance specify that at least part of the stream buffer be maintained with native vegetation?

If your answer is **YES**, give yourself **2 points** . . .

Does the stream buffer ordinance outline allowable uses?

If your answer is **YES**, give yourself **1 point**

Does the ordinance specify enforcement and education mechanisms?

YES

If your answer is **YES**, give yourself **1 point** • •

Notes on Buffer Systems (include source documentation such as name of document, section and page #):

19. Clearing and Grading

Is there any ordinance that requires or encourages the preservation of natural vegetation at residential development sites?

YES

If your answer is **YES**, give yourself **2 points** • •

Do reserve septic field areas need to be cleared of trees at the time of development?

YES

If your answer is **NO**, give yourself **1 point** • •

Notes on Buffer Maintenance (include source documentation such as name of document, section and page #):

20. Tree Conservation

If forests or specimen trees are present at residential development sites, does some of the stand have to be preserved?

YES

If your answer is **YES**, give yourself **2 points** • •

Are the limits of disturbance shown on construction plans adequate for preventing clearing of natural vegetative cover during construction?

YES

If your answer is **YES**, give yourself **1 point** • •

Notes on Tree Conservation (include source documentation such as name of document, section and page #):

21. Land Conservation Incentives

Are there any incentives to developers or landowners to conserve non-regulated land (open space design, density bonuses, stormwater credits or lower property tax rates)?

YES

If your answer is **YES**, give yourself **2 points** • •

Is flexibility to meet regulatory or conservation restrictions (density compensation, buffer averaging, transferable development rights, off-site mitigation) offered to developers?

YES

If your answer is **YES**, give yourself **2 points** • •

Notes on Land Cons. Incentives (include source documentation such as name of document, section and page #):

22. Stormwater Outfalls

Is stormwater required to be treated for quality before it is discharged?

YES

If your answer is **YES**, give yourself **2 points** • •

Are there effective design criteria for stormwater best management practices (BMPs)?

YES

If your answer is **YES**, give yourself **1 point** • •

Can stormwater be directly discharges into a jurisdictional wetland without pretreatment?

YES

If your answer is **NO**, give yourself **1 point** • •

Does a floodplain management ordinance that restricts or prohibits development within the 100-year floodplain exist?

YES

If your answer is **YES**, give yourself **2 points** • •

Notes on Stormwater Outfalls (include source documentation such as name of document, section and page #):

Code and Ordinance Worksheet

Subtotal Page 13

0

• • **Time to Assess:** Principles 17 through 22 addressed the codes and ordinances that promote (or impede) protection of existing natural areas and incorporation of open spaces into new development. There were a total of 24 points available for Principles 17 - 22. What was your total score?

Subtotal Page 11 + Subtotal Page 12 + Subtotal Page 13 =

Where were your codes and ordinances most in line with the principles? What codes and ordinances are potential impediments to better development?

To determine final score, add up subtotal from each • **Time to Assess**

Principles 1 - 10 (Page 8)

0

Principles 11 - 16 (Page 11)

0

Principles 17 - 22 (Page 13)

0

TOTAL

0

SCORING (A total of 100 points are available):

Your Community's Score

| | |
|--------------|--|
| 90 - 100 | <ul style="list-style-type: none"> ● Congratulations! Your community is a real leader in protecting streams, lakes, and estuaries. Keep up the good work. |
| 80 - 89 | <ul style="list-style-type: none"> ● Your local development rules are pretty good, but could use some tweaking in some areas. |
| 79 - 70 | <ul style="list-style-type: none"> ● Significant opportunities exist to improve your development rules. Consider creating a site planning roundtable. |
| 60 - 69 | <ul style="list-style-type: none"> ● Development rules are inadequate to protect your local aquatic resources. A site planning roundtable would be very useful. |
| less than 60 | <ul style="list-style-type: none"> ● Your development rules definitely are not environmentally friendly. Serious reform of the development rules is needed. |