

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
Philadelphia, Pennsylvania 19103**



In the Matter of: :

Lawrenceville Borough :
6 Mechanic Street : **U.S. EPA Docket No. CWA-03-2024-0021DN**
Lawrenceville, Pennsylvania 16929 :

Respondent : **ADMINISTRATIVE ORDER ON CONSENT**
: **PURSUANT TO 33 U.S.C. § 1319(a)**

Lawrenceville Wastewater Treatment Plant :
Cherry Street :
Lawrenceville, Pennsylvania 16929 :

Facility :
:
:
:
:

I. STATUTORY AUTHORITY AND JURISDICTION

1. This Administrative Order on Consent (“AOC or “Order”) is issued to Lawrenceville Borough (“Lawrenceville” or “Respondent”), under the authority vested in the United States Environmental Protection Agency (“EPA”) by Section 309(a) of the Clean Water Act, 33 U.S.C. § 1319(a) (“CWA” or “Act”). The Administrator delegated this authority to the Regional Administrator of EPA Region III, who further delegated it to the Director of the Enforcement & Compliance Assurance Division, EPA Region III.
2. Section 309(a) of the Act provides, *inter alia*, that: “Whenever, on the basis of information available to [EPA], [EPA] finds that any person is in violation of any condition or limitation [implementing section [301, 302, 306, 307, 308, 318, or 405] of this title in a permit issued under section [402] ... of this title, ... [EPA] shall issue an order requiring such person to comply with such condition or limitation ...” See 33 U.S.C. § 1319(a)(3).
3. EPA has jurisdiction over the above-captioned matter, as described in Paragraphs 1 and 2, above.
4. EPA has consulted with the Pennsylvania Department of Environmental Protection (“PADEP”) regarding this action and, subsequent to the Effective Date, EPA will mail a copy of this fully executed AOC to the appropriate PADEP representative.

II. GENERAL PROVISIONS

5. The provisions of this AOC shall apply to and be binding upon the Respondent and the officers, directors, employees, contractors, agents, trustees, successors and assigns of the Respondent.
6. Respondent shall bear its own costs and attorney's fees in connection with this proceeding and associated with the implementation or enforcement of this AOC, including any costs related to resolution of any dispute arising regarding this AOC.
7. EPA reserves the right to commence an action against any person, including Respondent, in response to any condition which EPA determines may present an imminent and substantial endangerment to the public health, public welfare, or the environment. EPA reserves all existing rights and remedies available to it under the CWA, 33 U.S.C. §1251 - 1389, the regulations promulgated thereunder, and any other federal laws or regulations for which EPA has jurisdiction, including enforcement of this AOC.
8. This AOC does not constitute a waiver or modification of the terms or conditions of any permit issued to Respondent. Nothing in this Order shall relieve Respondent of its obligation to comply with all applicable provisions of federal, state, or local laws and regulations, nor shall it restrict EPA's authority to seek compliance with any applicable laws or regulations, nor shall it be construed to be a ruling on the validity of any federal, state or local permit. This Order does not constitute a waiver, suspension, or modification of the requirements of the Act, 33 U.S.C. §§ 1251 – 1389, or any regulations promulgated thereunder.
9. Respondent waives any and all remedies, claims for relief and otherwise available rights to judicial or administrative review that Respondent may have with respect to this AOC, including any right of judicial review pursuant to Chapter 7 of the Administrative Procedure Act, 5 U.S.C. §§ 701 – 706.
10. EPA reserves all existing inspection authority otherwise available to EPA pursuant to Section 308 of the CWA, 33 U.S.C. § 1318, or pursuant to any other statute or law.
11. The undersigned representative of Respondent certifies that he or she is fully authorized by the Respondent to enter into the terms and conditions of this AOC and to execute and legally bind the Respondent.
12. By signing this AOC, Respondent acknowledges that this AOC may be available to the public and represents that, to the best of Respondent's knowledge and belief, this AOC does not contain any confidential business information or personally identifiable information from Respondent.
13. Respondent certifies that any information or representation it has supplied or made to EPA concerning this matter was, at the time of submission, true, accurate, and complete and that there has been no material change regarding the truthfulness, accuracy or completeness of such information or representation. EPA shall have the right to institute further actions to recover appropriate relief if EPA obtains evidence that any information provided and/or representations made by either Respondent to the EPA regarding matters

relevant to this AOC are false or, in any material respect, inaccurate. This right shall be in addition to all other rights and causes of action that EPA may have, civil or criminal, under law or equity in such event. Respondent and its officers, directors and agents are aware that the submission of false or misleading information to the United States government may subject a person to separate civil and/or criminal liability

14. For purposes of the identification requirement in Section 162(f)(2)(A)(ii) of the Internal Revenue Code, 26 U.S.C. § 162(f)(2)(A)(ii), and 26 C.F.R. § 162-21(b)(2), performance of Section V of this Order is restitution, remediation, or required to come into compliance with the law.
15. Respondent neither admits nor denies the specific factual allegations set forth in this AOC.

III. STATUTORY AND REGULATORY BACKGROUND

16. Section 402(a) of the Act, 33 U.S.C. § 1342(a), provides that the Administrator of EPA may issue permits under the National Pollutant Discharge Elimination System (“NPDES”) program for the discharge of pollutants from point sources to waters of the United States. The discharges are subject to specific terms and conditions as prescribed in the permit. Section 402(b) of the Act, 33 U.S.C. § 1342(b), provides for the authorization of state programs to issue NPDES permits.
17. Pursuant to Section 402(b) of the Act, 33 U.S.C. § 1342(b), EPA authorized the Commonwealth of Pennsylvania’s NPDES program on June 30, 1978. Pursuant to Section 402(b) of the Act, 33 U.S.C. § 1342(b), PADEP is authorized to administer the NPDES program in the Commonwealth of Pennsylvania.
18. Section 301(a) of the Act, 33 U.S.C. § 1311(a), prohibits the discharge of any pollutant by any person into waters of the United States except in compliance with sections 301, 302, 306, 307, 318, 402, and 404 of the Act.
19. “Discharge of a pollutant” means “[a]ny addition of any ‘pollutant’ or combination of pollutants to ‘waters of the United States’ from any ‘point source’.” 40 C.F.R. § 122.2 *See also* 33 U.S.C. § 1362(12).
20. Pursuant to Section 402(i) of the CWA, 33 U.S.C. § 1342(i), EPA retains its authority to take enforcement action within Pennsylvania for NPDES permit violations.

IV. FINDINGS OF FACT, JURISDICTIONAL ALLEGATIONS AND CONCLUSIONS OF LAW

21. Respondent is a “person” within the meaning of Section 502(5) of the Act, 33 U.S.C. § 1362(5).
22. Prior to March 30, 2018, the owner/operator of the WWTP was Lawrenceville Municipal Authority. On April 18, 2018, Lawrenceville Borough dissolved the Authority and assumed ownership of the Authority’s assets. PADEP received an application for transfer on January 11, 2018. The WWTP NPDES Permit was transferred from Lawrenceville

Municipal Authority to Lawrenceville Borough on March 30, 2018. Respondent has owned and operated the Lawrenceville Wastewater Treatment Plant (“WWTP” or “Facility”), a publicly owned wastewater treatment plant located at Cherry Street, Lawrenceville, Tioga County, PA since April 18, 2018. The WWTP discharges treated domestic wastewater to the Tioga River, a tributary to the Susquehanna River.

23. At all times relevant to this AOC, the operation of the WWTP has been subject to NPDES Discharge Permit No. PA0111929 (“WWTP Permit”), issued by PADEP, which became effective on October 1, 2014, and expired September 30, 2019. The permit was administratively extended pending renewal of the application received on 3/28/2019. The renewal became effective on 1/1/2020 with an expiration date of 12/31/2024.
24. Respondent is authorized to discharge pollutants, in the form of wastewater from the WWTP, to waters of the United States only in accordance with the terms and conditions of the WWTP Permit.
25. The Tioga River is a tributary to the Chemung River in Painted Post, NY, which is a tributary to the Susquehanna River in Athens, Pennsylvania. The Tioga, Chemung and Susquehanna Rivers are “waters of the United States” within the meaning of Section 502(7) of the Act, 33 U.S.C. § 1362(7).
26. At all times relevant to this AOC, the WWTP discharged wastewater into Tioga River through a “point source” as that term is defined at Section 502(14) of the Act, 33 U.S.C. § 1362(14).
27. Lawrenceville Borough’s Potable Water Treatment Plant is an indirect discharger to Lawrenceville’s WWTP. Part A.II of the WWTP Permit states “Indirect Discharger means a non-domestic discharger introducing pollutants to a Publicly Owned Treatment Works (POTW) or other treatment works as that term is defined in 40 C.F.R. 122.2, and 25 Pa. Code § 92a.2.
28. On February 2, 2021, representatives of EPA inspected the WWTP for purposes of determining compliance with the WWTP Permit (“Site Inspection”).

Count 1 – Effluent Exceedances/Reporting Violations

29. Part A.I.A of the WWTP Permit defines effluent limitations and monitoring requirements for discharges from Outfall 001. Part A.III.B.2 of the WWTP Permit requires Respondent to submit eDMR (“electronic Discharge Monitoring Reports”) on a monthly basis.
30. According to PADEP’s eDMR’s and EPA’s Integrated Compliance Information System (“ICIS”) databases, the Facility experienced 93 effluent limit exceedances from Outfall 001 between June 30, 2017, and October 31, 2022. (See Table 1 below). The highest percentage of exceedances occurred for carbonaceous biochemical oxygen demand (CBOD5), followed by fecal coliform and total suspended solids.

Table 1. Outfall 001 Final Effluent Exceedances (June 30, 2017, through October 31, 2022)

Permit #	Monitoring Period End Date	Parameter Name	DMR Value	Permit Limit	Units	Limit Type
PA0111929	6/30/2017	CBOD5	34	33	lbs/day	Weekly Average
PA0111929	6/30/2017	Fecal Coliform	> 988	200	CFU/100 ml	Geometric Mean
PA0111929	7/31/2017	Fecal Coliform	254	200	CFU/100 ml	Geometric Mean
PA0111929	9/30/2017	Fecal Coliform	> 216	200	CFU/100 ml	Geometric Mean
PA0111929	9/30/2017	Chlorine, total residual	1.2	1.0	Mg/L	Monthly Average
PA0111929	1/31/2018	pH	5.9	6.0	S.U.	Instantaneous Minimum
PA0111929	2/28/2018	Total Suspended Solids	74	45	mg/L	Weekly Average
PA0111929	2/28/2018	Total Suspended Solids	73	37	lbs/day	Weekly Average
PA0111929	3/31/2018	CBOD5	39	20	lbs/day	Average Monthly
PA0111929	3/31/2018	CBOD5	45	33	lbs/day	Weekly Average
PA0111929	3/31/2018	Fecal Coliform	> 2420	2000	CFU/100 ml	Geometric Mean
PA0111929	3/31/2018	Total Suspended Solids	29	25	lbs/day	Average Monthly
PA0111929	4/30/2018	CBOD5	37	20	lbs/day	Average Monthly
PA0111929	4/30/2018	CBOD5	60	33	lbs/day	Weekly Average
PA0111929	4/30/2018	Fecal Coliform	< 2420	2000	CFU/100 ml	Geometric Mean
PA0111929	4/30/2018	Total Suspended Solids	51	37	lbs/day	Weekly Average
PA0111929	4/30/2018	Total Suspended Solids	< 28	25	lbs/day	Average Monthly
PA0111929	5/31/2018	CBOD5	39	33	lbs/day	Weekly Average
PA0111929	5/31/2018	Fecal Coliform	1500	200	CFU/100 ml	Geometric Mean
PA0111929	6/30/2018	Fecal Coliform	303	200	CFU/100 ml	Geometric Mean
PA0111929	8/31/2018	CBOD5	33	20	lbs/day	Average Monthly
PA0111929	8/31/2018	CBOD5	52	33	lbs/day	Weekly Average

Permit #	Monitoring Period End Date	Parameter Name	DMR Value	Permit Limit	Units	Limit Type
PA0111929	8/31/2018	Fecal Coliform	585	200	CFU/100 ml	Geometric Mean
PA0111929	8/31/2018	Total Suspended Solids	30	25	lbs/day	Average Monthly
PA0111929	8/31/2018	Total Suspended Solids	57	37	lbs/day	Weekly Average
PA0111929	9/30/2018	CBOD5	26	20	lbs/day	Average Monthly
PA0111929	9/30/2018	CBOD5	38	33	lbs/day	Weekly Average
PA0111929	9/30/2018	Fecal Coliform	2420	200	CFU/100 ml	Geometric Mean
PA0111929	10/31/2018	CBOD5	37	20	lbs/day	Average Monthly
PA0111929	10/31/2018	CBOD5	48	33	lbs/day	Weekly Average
PA0111929	10/31/2018	Dissolved Oxygen	3.2	4.0	mg/L	Instantaneous Minimum
PA0111929	10/31/2018	Fecal Coliform	2420	2000	CFU/100 ml	Geometric Mean
PA0111929	10/31/2018	Total Suspended Solids	51	25	lbs/day	Average Monthly
PA0111929	10/31/2018	Total Suspended Solids	78	37	lbs/day	Weekly Average
PA0111929	11/30/2018	CBOD5	35	20	lbs/day	Average Monthly
PA0111929	11/30/2018	CBOD5	< 35	33	lbs/day	Weekly Average
PA0111929	11/30/2018	Dissolved Oxygen	3.9	4.0	mg/L	Instantaneous Minimum
PA0111929	11/30/2018	Fecal Coliform	2420	2000	CFU/100 ml	Geometric Mean
PA0111929	11/30/2018	Total Suspended Solids	< 40	25	lbs/day	Average Monthly
PA0111929	11/30/2018	Total Suspended Solids	47	37	lbs/day	Weekly Average
PA0111929	12/31/2018	CBOD5	38	20	lbs/day	Average Monthly
PA0111929	12/31/2018	CBOD5	67	33	lbs/day	Weekly Average
PA0111929	12/31/2018	Fecal Coliform	> 2420	2000	CFU/100 ml	Geometric Mean
PA0111929	12/31/2018	Total Suspended Solids	49	25	lbs/day	Average Monthly

Permit #	Monitoring Period End Date	Parameter Name	DMR Value	Permit Limit	Units	Limit Type
PA0111929	12/31/2018	Total Suspended Solids	86	37	lbs/day	Weekly Average
PA0111929	1/31/2019	CBOD5	28	20	lbs/day	Average Monthly
PA0111929	1/31/2019	CBOD5	38	33	lbs/day	Weekly Average
PA0111929	1/31/2019	Total Suspended Solids	35	25	lbs/day	Average Monthly
PA0111929	1/31/2019	Total Suspended Solids	56	37	lbs/day	Weekly Average
PA0111929	1/31/2019	Fecal Coliform	2420	2000	CFU/100 ml	Geometric Mean
PA0111929	2/28/2019	Fecal Coliform	9510	2000	CFU/100 ml	Geometric Mean
PA0111929	3/31/2019	Dissolved Oxygen	3.8	4.0	mg/L	Instantaneous Minimum
PA0111929	3/31/2019	Fecal Coliform	17826	2000	CFU/100 ml	Geometric Mean
PA0111929	4/30/2019	CBOD5	50	33	lbs/day	Weekly Average
PA0111929	4/30/2019	Fecal Coliform	2958	2000	CFU/100 ml	Geometric Mean
PA0111929	4/30/2019	Total Suspended Solids	28	25	lbs/day	Average Monthly
PA0111929	4/30/2019	Total Suspended Solids	60	37	lbs/day	Weekly Average
PA0111929	5/31/2019	CBOD5	36	33	lbs/day	Weekly Average
PA0111929	5/31/2019	Fecal Coliform	18924	200	CFU/100 ml	Geometric Mean
PA0111929	5/31/2019	Total Suspended Solids	27	25	lbs/day	Average Monthly
PA0111929	5/31/2020	CBOD5	44	33	lbs/day	Weekly Average
PA0111929	1/31/2021	pH	5.97	6.0	S.U.	Instantaneous Minimum
PA0111929	5/31/2021	Fecal Coliform	2420	1000	CFU/100 ml	Instantaneous Max
PA0111929	6/30/2021	Fecal Coliform	4839	1000	CFU/100 ml	Instantaneous Max
PA0111929	7/31/2021	Dissolved Oxygen	3.84	4.0	mg/L	Instantaneous Minimum

Permit #	Monitoring Period End Date	Parameter Name	DMR Value	Permit Limit	Units	Limit Type
PA0111929	7/31/2021	Total Chlorine Residual	3.86	2.3	mg/L	Instantaneous Max
PA0111929	8/31/2021	Dissolved Oxygen	3.88	4.0	mg/L	Instantaneous Minimum
PA0111929	1/31/2022	Fecal Coliform	34,658	10,000	CFU/100 ml	Instantaneous Max
PA0111929	1/31/2022	Fecal Coliform	3452	2000	CFU/100 ml	Geometric Mean Monthly
PA0111929	1/31/2022	Total Chlorine Residual	0.53	0.5	mg/L	Average Monthly
PA0111929	3/31/2022	Fecal Coliform	12,098	10,000	CFU/100 ml	Instantaneous Max
PA0111929	3/31/2022	Fecal Coliform	3,686	2,000	CFU/100 ml	Geometric Mean
PA0111929	3/31/2022	Dissolved Oxygen	3.23	4.0	mg/L	Instantaneous Minimum
PA0111929	4/30/2022	Fecal Coliform	54,750	10,000	CFU/100 ml	Instantaneous Max
PA0111929	4/30/2022	Fecal Coliform	6564	2,000	CFU/100 ml	Geometric Mean
PA0111929	4/30/2022	Dissolved Oxygen	3.84	4.0	mg/L	Instantaneous Minimum
PA0111929	5/31/2022	Fecal Coliform	3265.6	1,000	CFU/100 ml	Instantaneous Max
PA0111929	5/31/2022	Fecal Coliform	258	200	CFU/100 ml	Geometric Mean
PA0111929	5/31/2022	Total Chlorine Residual	1.7	1.6	mg/L	Instantaneous Max
PA0111929	5/31/2022	Total Chlorine Residual	0.55	0.5	mg/L	Average Monthly
PA0111929	5/31/2022	Total Suspended Solids	44	37	lbs/day	Average Weekly
PA0111929	5/31/2022	Dissolved Oxygen	3.92	4.0	mg/L	Instantaneous Minimum
PA0111929	6/30/2022	Fecal Coliform	8664.5	1,000	CFU/100 ml	Instantaneous Max
PA0111929	6/30/2022	Fecal Coliform	2,333	200	CFU/100 ml	Geometric Mean

Permit #	Monitoring Period End Date	Parameter Name	DMR Value	Permit Limit	Units	Limit Type
PA0111929	6/30/2022	Dissolved Oxygen	3.9	4.0	mg/L	Instantaneous Minimum
PA0111929	7/31/2022	Fecal Coliform	1461.6	1,000	CFU/100 ml	Instantaneous Max
PA0111929	7/31/2022	Fecal Coliform	<241	200	CFU/100 ml	Geometric Mean
PA0111929	7/31/2022	pH	5.4	6.0		Instantaneous Minimum
PA0111929	8/31/2022	Fecal Coliform	3921.6	1,000	CFU/100 ml	Instantaneous Max
PA0111929	8/31/2022	Fecal Coliform	477	200	CFU/100 ml	Geometric Mean
PA0111929	8/31/2022	pH	5.19	6.0		Instantaneous Minimum
PA0111929	9/30/2022	Fecal Coliform	9678.4	1,000	CFU/100 ml	Instantaneous Max
PA0111929	9/30/2022	Fecal Coliform	2,828	200	CFU/100 ml	Geometric Mean
PA0111929	9/30/2022	pH	5.7	6.0		Instantaneous Minimum
PA0111929	10/31/2022	pH	5.9	6.0		Instantaneous Minimum

31. Lawrenceville had 93 effluent violations between July 2017 and October 31, 2022. On April 18, 2019, PADEP issued a Consent Assessment of Civil Penalty (“CACP”) to Lawrenceville for discharging treated effluent into the waters of the United States with loading and/or concentrations greater than loading and/or concentration limits established by the WWTP Permit.
32. Based on the above assertions and allegations, Respondent violated Part A., Section I. A. and Part A., Section III.B.2 of the WWTP Permit by failing to meet effluent limits, during the above time periods. These violations will be resolved with PADEP and EPA through the CACP and this AOC, respectively.
33. By failing to comply with the terms and conditions of the WWTP Permit, Respondent has violated Sections 301 and 402 of the CWA, 33 U.S.C. §§ 1311 and 1342.

Count 2 - Not Properly Operating and Maintaining Facility

34. Part B.I.E.2 of the WWTP Permit states, “The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance include, 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)).”

35. Part B.I.D.3 of the WWTP Permit states, “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).
36. Since February 2022, Lawrenceville’s drinking water treatment plant no longer uses its backwash tanks to store wasted backwash from Lawrenceville’s drinking water treatment plant for disposal (as designed). Instead, the Maintenance Technician explained during the inspection on February 2, 2021 (EPA inspection) that backwash is periodically discharged to the WWTP at a rate of approximately 15,000 gallons per discharge event. The Maintenance Technician stated that WWTP influent containing the batch discharge of water treatment plant backwash can cause issues with suspended solids and cause the wastewater in the aeration basin to be darker in color due to manganese from the filter process.
37. The grit chamber at the WWTP headworks no longer functions as designed. This was documented in the EPA inspection. Grit is not removed at this point, allowing wastewater to flow through the chamber to the comminutor and flow splitter. The Maintenance Technician explained the unit had been out of service for a long time and there were no plans at the time of the inspection to repair or replace the grit chamber with a functioning unit.
38. At the EPA inspection, the Maintenance Technician demonstrated he uses an operations logbook to document daily activities at the WWTP; however, the book also included notes from Lawrenceville’s drinking water plant which the Maintenance Technician also operates in some cases. Because the logbook combined information from two different plants, it was difficult to determine whether information pertained to the drinking water plant or the WWTP, and thus may have impeded proper operation of the WWTP.
39. Respondent violated Part B., Sections I. E. 2. of the WWTP Permit by failing to properly operate and maintain the Facility, by failing to properly control the volume and composition of indirect discharges to the Facility, and by failing to keep accurate records for the WWTP since June 2017.
40. By failing to comply with the terms and conditions of the WWTP Permit, Respondent has violated Sections 301 and 402 of the CWA, 33 U.S.C. §§ 1311 and 1342.

V. COMPLIANCE ORDER

41. Therefore, based on the foregoing, Respondent is hereby ORDERED, pursuant to Section 309(a) of the CWA, 33 U.S.C. § 1319(a), to conduct, and consents to conduct, the following activities:
42. Within thirty (30) days of the Effective Date of the AOC or as otherwise agreed upon by the Parties, as required by Part B. I. E.1. of its WWTP Permit, Respondent shall contract with an operator certified in compliance with the Water and Wastewater Systems Operators

Certification Act (Certified Operator) and employ others (Operator) who will operate the WWTP on a daily basis with the guidance of the Certified Operator by:

- a) Requiring the Certified Operator or circuit rider to oversee development and submission of a general work plan and system specific management plan that covers the WWTP (Management Plan). The Management Plan should outline:
 - (1) the classification and sub-classification of each system;
 - (2) the number of estimated hours per week the Certified Operator and Operator works at the WWTP and time physically present at the Facility;
 - (3) the standard operating procedure (SOPs) for the Facility to ensure that the Certified Operator is knowledgeable of actual operations and that the Operator understands what needs to be done at the Facility when the Certified Operator is not physically present at the Facility;
- b) The Certified Operator must be knowledgeable of actual operations at the Facility, know what test results and reports are indicative of actual operational conditions; be able to provide adequate supervision to other employees at the Facility, and be available to respond to questions regarding the operation of the Facility in a reasonable amount of time;
- c) The Certified Operator and/or Operator must be available for compliance evaluation inspections conducted by PADEP and EPA when provided at least 24 hours of notice;
- d) Respondent shall keep a log of the daily visit by the Operator that provides the time the Operator is physically on site. In addition, the Operator shall perform the following tests at least two days per week and record the results. As appropriate, such testing may be conducted via on site test strips or via laboratory analysis:
 - (1) 30-minute settleability test;
 - (2) Effluent ammonia concentration;
 - (3) Effluent alkalinity;
 - (4) Aeration tank dissolved oxygen profile;
 - (5) Aeration tank pH;
 - (6) Mixed Liquor microscopy;
 - (7) Influent Total Kjeldahl Nitrogen;
 - (8) Clarifier sludge depth;

43. Within forty-five (45) days of the Effective Date of the AOC or as otherwise agreed upon by the Parties, the Respondent shall provide to EPA for review a Compliance Schedule that outlines the steps for developing a Corrective Action Plan (“CAP”), listing the separate tasks and the timelines for each task in order to meet the requirements set forth in this AOC. The Compliance Schedule shall include, at a minimum, plans and a schedule for implementing corrective actions to address the following to return to compliance with the CWA:
- a. A plan and schedule for bringing the WWTP into compliance for effluent violations.
 - b. A sampling plan for flow-based composite effluent samples as required in the WWTP Permit and the Facility’s standard operating procedures (“SOPs”).
 - c. A plan and schedule for implementation of proper operation and maintenance (“O&M”) of the Facility, as set forth in Paragraph 42.a., that includes a set schedule for the proper operation and function of the grit removal system, and defined, regular removal of solids and sludge from the treatment system as well as development and maintenance of an appropriate, recordkeeping system, among other things.
 - d. The analysis of wastewater characteristics and “batch” discharges from indirect dischargers, including, but not limited to, the Potable Water Treatment Plant. The development and enforcement of specific limits and rates of discharge, as appropriate, for indirect dischargers.
44. EPA will review the Compliance Schedule and make a determination as to completeness, based on the requirements described in this Order. If EPA determines that the Compliance Schedule is not complete or adequate, EPA shall notify Respondent in writing and Respondent shall resubmit an updated Compliance Schedule within thirty (30) days of Respondent’s receipt of EPA’s notice or as otherwise agreed upon by the Parties.
45. Upon a determination of completeness as provided in writing by EPA to the Respondent, Respondent will develop a Corrective Action Plan (“CAP”) to be submitted within sixty (60) days of approval of the Compliance Schedule.
46. EPA will review the CAP and make a determination as to completeness, based on the requirements described in this Order. If EPA determines that the CAP is not complete or adequate, EPA shall notify Respondent in writing and Respondent shall resubmit a revised CAP within thirty (30) days of Respondent’s receipt of EPA’s notice or as otherwise agreed upon by the Parties.
47. Respondent shall submit a notice to EPA within thirty (30) days once all work, as identified in and required by the CAP, has been completed.
48. Within sixty (60) days from approval of the CAP, or as otherwise agreed to by the Parties, Respondent shall submit to EPA for review a list of deadlines included in the CAP. The list shall be submitted in an electronic format (e.g., unlocked spreadsheet or similar format agreed to by the Parties). Within thirty (30) days of an approved modification of any

deadline under this Order, Respondent shall provide an updated list of deadlines reflecting changes to the future schedule.

VI. PROCEDURES FOR SUBMISSIONS

- 49. All documents required to be submitted by this Order and any Request for Termination shall be accompanied by a certification signed by a responsible officer, as defined in 40 C.F.R. § 122.22(a), that reads as follows:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly 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.

Signed _____

Title: _____

Date: _____

- 50. Respondent may assert a business confidentiality claim covering part or all of the information which this AOC requires it to submit to EPA, but only to the extent and only in the manner described in Part 2 Subpart B of Title 40 of the C.F.R. The EPA will disclose information submitted under a confidentiality claim only as provided in Part 2 Subpart B of Title 40 of the C.F.R. If, at the time any information is submitted to EPA, Respondent does not assert a confidentiality claim, EPA may make the submitted information available to the public without further notice to either Respondent.
- 51. Unless otherwise directed in writing, Respondent shall submit any submission or written communication, including any accompanying data, relating to this AOC via email to:

Email: Steven Maslowski
Maslowski.steven@epa.gov
 NPDES Enforcement
 Enforcement and Compliance Assurance Division
 U.S. EPA, Region III

Any information submitted electronically shall be submitted in a widely recognized electronic format.

VII. CERTIFICATION OF COMPLIANCE AND REQUEST FOR TERMINATION OF AOC

- 52. Upon completion of all items required by the CAP and a determination of completeness of each item, and after one year of implementation of the CAP, the Respondent shall submit to EPA a Certification of Compliance and Request for Termination of this AOC. Such certification and request shall include:

- a. a certification that Respondent has maintained compliance with this AOC for the term of this AOC; and
 - b. all necessary documentation, including photo documentation as appropriate, to support a finding that Respondent has complied with Section V (Compliance Order) of this AOC.
53. If, following review of any Certification of Compliance and Request for Termination of this AOC, EPA agrees that Respondent has adequately complied with all requirements of this AOC, then EPA may provide written notification of termination of this AOC.

VIII. AOC MODIFICATIONS

54. Any request to modify the terms of, or parties to, this AOC shall be submitted, in writing, by Respondent to EPA and shall be subject to review and approval by EPA, in its sole and unreviewable discretion.

IX. CHANGE OF OWNERSHIP OR OPERATION OF THE WWTP

55. Until or unless this AOC is modified or terminated, in accordance with the terms of this AOC, Respondent shall remain responsible for compliance with the terms of this AOC following any transfer of ownership or operation of the WWTP.
56. At least ninety (90) days prior to any transfer of ownership or operation of the WWTP or as otherwise agreed upon by the Parties, Respondent shall submit a written notification to EPA of any such anticipated change in ownership or operation which shall include, at a minimum, a detailed summary of the anticipated change in ownership or operation, contact information for the proposed new owner or operator of the WWTP and a schedule for such anticipated change.
57. Respondent shall condition any sale or transfer of ownership or operation of the Facility, in whole or in part, upon the execution by such Prospective Third-Party Purchaser, or Transferee, of an agreement, which creates an obligation that shall survive the closing of such sale or transfer of the WWTP, whereby such Prospective Third-Party Purchaser or Transferee agrees to comply with and be bound by the terms of this AOC.

X. EFFECTIVE DATE

58. This AOC shall become effective upon the Respondent's receipt of a fully executed copy of this AOC.

FOR RESPONDENT LAWRENCEVILLE BOROUGH:

By: Kris S. Davis
Kris Davis, Mayor
Lawrenceville Borough

SO ORDERED:

FOR U.S. ENVIRONMENTAL PROTECTION AGENCY

By: _____
[Digital Signature and Date]
Karen Melvin, Director
Enforcement & Compliance Assurance Division
U.S. Environmental Protection Agency, Region III

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
Philadelphia, Pennsylvania 19103

In the Matter of:	:	
	:	
Lawrenceville Borough	:	U.S. EPA Docket No. CWA-03-2024-0021DN
6 Mechanic Street	:	
Lawrenceville, Pennsylvania 16929	:	
	:	ADMINISTRATIVE ORDER FOR
Respondent	:	COMPLIANCE ON CONSENT
	:	PURSUANT TO 33 U.S.C. § 1319(a)
	:	
Lawrenceville Wastewater Treatment Plant	:	
Cherry Street	:	
Lawrenceville, Pennsylvania 16929	:	
	:	
	:	
Facility	:	
	:	
	:	
	:	

CERTIFICATE OF SERVICE

I certify that the foregoing Administrative Order on Consent was filed with the EPA Region III Regional Hearing Clerk on the date that has been electronically stamped on the Administrative Order on Consent. I further certify that on the date set forth below, I caused to be served a true and correct copy of the foregoing Administrative Order on Consent to each of the following persons, in the manner specified below, at the following addresses:

Copies served via email via UPS and email to:

Mr. Kris Davis
Mayor
Borough of Lawrenceville
6 Mechanic Street
Lawrenceville, Pennsylvania 16929
Kris.Davis@cafusa.com

Ms. Lisa M. Bruderly
Attorney at Law
Babst Calland
Two Gateway Center
Pittsburgh, Pennsylvania 15222
lbruderly@babstcalland.com

Copies served via email to:

Pamela J. Lazos
Senior Assistant Regional Counsel
U.S. EPA, Region III
lazos.pamela@epa.gov

Steven Maslowski
Wastewater Team Lead
U.S. EPA, Region III
maslowski.steven@epa.gov

[*Digital Signature and Date*]
Bevin Esposito
Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 3