

**COMPILATION OF RECOMMENDATIONS AND MOTIONS FROM THE EAST COVENTRY
FPRWQ STEERING COMMITTEE MEETINGS**

From 5/4/23:

- The Committee discussed this item and decided upon the following mission statement and purpose: To provide the Board of Supervisors with advice, guidance, and recommendations on good stewardship and the protection of potential public and private drinking water sources located within the Township; including, but not limited to, the potential for local regulation of the storage and limitations on land application of food processing residual. Mr. Schur made a motion to approve the mission statement and purpose. Mr. Price seconded the motion. Mr. Tietjen called for a vote and the motion passed 7-0-0.

From 5/15/23:

- The Committee discussed making a correction to page 2 of FPR Application Ordinance Section 1. Part 6 Land Application of Food Processing Residuals Section 10-603 Slopes item #3 which currently reads: “Application of FPR on slopes 20% to less than 25% is only permitted by subsurface injection *approved by PA DEP.*” Mr. Price made a motion to correct this to instead say “Application of FPR on slopes 20% to less than 25% is only permitted by subsurface injection *as recommended by PA DEP.*” Mr. Preston seconded the motion. Mr. Tietjen called for a vote and the motion passed 7-0-0.
- The Committee discussed making a correction to page 2 of FPR Application Ordinance Section 1. Part 6 Land Application of Food Processing Residuals Section 10-603 Slopes item #5 which currently reads: “For purposes of this part, slopes shall be determined by the most current United States Geological Survey (USGS) *slope maps*, or actual topographical survey plan prepared and sealed by a surveyor professional certified by the Commonwealth of Pennsylvania.” A motion was made by Mr. Price to replace the words “*USGS slope maps*” in item #5 with “*the US Topo map, the current USGS topographical map series*” to mirror the language used on p.90 of the DEP FPR Manual under the section on Site Preparation. Mr. Preston seconded the motion. Mr. Tietjen asked for a vote and the motion passed 7-0-0.

From 6/14/23:

- Mr. Preston made a motion to approve the minutes with the following correction to item 4 A. citing item #5 of the FPR Ordinance to replace the words “USGS 7.5 minute quadrangle map” with “the US Topo map, the current USGS topographical map series.” Ms. Meravi seconded, Mr. Tietjen asked for a vote and the Committee approved the corrections 6-0-0.

From 6/19/23:

Mr. Tietjen referenced page 103 of the DEP FRP Manual which indicates that in order “to be considered a “normal farming operation,” the food processing waste must be used in a customary

and generally accepted practice on a farm. The practice must be one that is used in the production or preparation for market of agricultural commodities.

The Food Processing Residual and Water Quality Steering Committee is recommending that the township require all landowners in the township that intend to apply FPR as part of their normal farming operation to supply documentation for the township to review for compliance to East Coventry Ordinance 2023-259, and all other Pa, and DEP requirements six months prior to applying FPR. The documentation must include at a minimum a Nutrient Management Plan, Manure Management Plan, Erosion and Sediment Control Plan. These plans must show the detailed information that can be used to determine compliance with the requirements below.

Nuisance Prevention

Land application is to be conducted in a manner to prevent odors, vectors, ponding of liquids, public nuisances or adverse effects to the soil, ground water, food chain, or the environment. The Land Application System Plan is to include detailed description of considerations and actions taken to avoid these public nuisances.

Metal Loading Rates

The lifetime metal loading rates cannot exceed the limits identified in Table 8.2 of the FPR Manual. The annual loading rate should be applied in accordance with the nutrient management plan for the site and cannot exceed the nitrogen requirements of the crop. The nutrient management plan must provide the detailed information show compliance.

Isolation Distances

The land application cannot be conducted within the isolation distances identified in Table 8.11 of the FPR Manual except as otherwise noted in the table footnotes. All setback requirements listed in section 10-602 of Ordinance 2023-259 must be clearly indicated and dementioned on USGS maps with a scale not to exceed 1" = 200'

General Site Criteria

The land application area must comply with the general site criteria for agricultural utilization identified in Table 8.10 of the FPR manual and section 10-603 of the township's Ordinance 2023-259. The Ag Erosion and Sediment Control plan must show compliance with these requirements.

Stabilization

Prior to land application the FPR must be stabilized or treated in accordance with the PSRPs and PFRPs described under the section on Pathogens in the FPR manual, except as otherwise noted elsewhere in this chapter. The Land Application System Plan must include data to show compliance with these requirements.

Health and Safety

FPRs that have the potential to cause problems if directly ingested by humans or animals should not be applied in areas where root vegetables which are eaten raw or will be grown within two years of the land application. The Land Application System Plan must show compliance with this requirement.

Conservation Plans

A farm conservation plan, (Erosion and Sediment Control Plan) prepared in accordance with Chapter 102, is required to be implemented on areas receiving FPRs. This plan is to be submitted for township review prior to any application of FPR

Storage

Prior to land application, the FPR must be stored in accordance with Chapter 299 of the Residual Waste Regulations.

Water Supply Protection

If the land application operation adversely affects a water supply, a temporary water supply must be provided within 48 hours and a permanent water supply must be provided within 90 days. The Township should require the land owner to obtain financial security or bond to cover the cost of providing water supply to impacted residents if their wells are impacted. No FPR can be applied until the township has approved and determined compliance with identified.

FPR Characterization

A chemical and physical characterization of the FPR must be conducted prior to land application, as described in Chapter 4 of the FPR manual and as required by section 10-605.3 of the Township's Ordinance 2023-259. A table of the results of the nutrient analysis is to be included in the Land Application System Plan

Field Marking

If the application area is not easily and visibly identifiable, the area must be marked prior to land application operations.

Daily Records

Daily records must be maintained that include the following:

type, percent of solids, and weight or volume of FPR that is applied
name, mailing address, county, and state of each generator
transporters of the FPRs

USGS map of all areas used for land application

the application rate of FPRs

pH Requirements

The pH of the site must be maintained in the optimum range for the crop being grown during the application of the FPR.

An annual report as detailed in the FPR Manual chapter 8 page 98 thru 101 titled recordkeeping should be presented to the Township manager each year and in accordance with number 4 of the ordinance for annual land testing.

Weather Condition

Land application can occur when no storage capacity or other means of storage or disposal exists at the generation facility. During these conditions, the slopes at the land application area cannot exceed 3% and sufficient vegetation must exist to prevent runoff of FPRs.

The application of FPRs must be in accordance with the site nutrient management plan and the Erosion and Sediment plan.

- The team reviewed the Landowner Documentation Requirements document and discussed a plan to submit this to the Township Manager to ask for the Township Solicitor to review it for the next Board of Supervisors Meeting on July 10th. Mr. Schur made a motion to forward the document with the Committee's recommendations to the Township Manager to determine if language is correct and to ask the Township for comment. Mr. Preston seconded the motion, and it passed by a 6-0-0 vote.

From 7/12:

- Mr. Tietjen made a motion to write a note to pose the following question to the township manager: Can the use of wastewater be considered a normal farming practice? The Township manager could then decide to whom this question should be presented. Ms. Wright seconded. Vote 5-2-0 with Mr. Preston and Mr. Price voting against.
- A discussion was had regarding the requirements of chapter 291.121 Storage, as a cement pit, is not a tank. Guidelines reference a tank with tight fitting lid, that is pressure tested, in order to store FPR. The engineer's seal on Nolt's example cites title 25 PA Code Ch 299 of FPR residual waste. The standard practice does not appear to match up with the requirements outlined in title 25 PA Code Ch. 299. The professional engineer is stamping and perhaps could be more specific. The Committee made no motion on this.

- Mr. Price made a motion to have the FPR storage facility engineering plans be reviewed by township engineer for completeness. Mr. Schur seconded. The Committee voted to pass: 7-0-0.

From 8/9/23:

- Mr. Price made a motion that the applier must comply with 25 Pa Code Ch. 299.219 Recordkeeping and Reporting. Mr. Shur seconded. A vote was taken: 3 in favor (Mr. Tietjen, Mr. Price, Ms. Wright in favor)-3 abstained (Ms. Meravi, Ms. Giovine, Mr. Preston abstained)-0 against.

Note: The abstainers were concerned not with the recordkeeping from the source to site, but with the ability to prevent it from being mixed with harmful materials. The team resolved that the expert hired by the Township would have to see how FPR goes from point A to point B to point C to meet the requirements through metal loading rates and daily record keeping-and that record keeping would include transport.

- Mr. Price made a motion to include DEP recommendations in the list of recommendations for testing drinking water. Mr. Schur seconded, and it was approved 7-0-0. Mr. Preston made an amendment to the motion to include both recommendations by the Board of Supervisors for all Township residents to do annual testing-but also that the Board of Supervisors recommend that neighboring residents do additional testing of water prior to application if there is a planned application of FPR. Mr. Tietjen seconded the motion, and the amended motion passed 7-0-0.
- Mr. Schur made motion that when an application is received to apply FPR that it be posted on the website, to inform the residents of the township. Ms. Wright seconded. The motion passed 7-0-0.
- Mr. Price made a motion that the Committee recommend that the residents and the township should comply to the local ordinance to empty their septic tanks every three years or when solids or scum in the tank exceeds 1/3 of the volume of the tank. Mr. Schur seconded, and the motion passed unanimously 7-0-0.
- Recommendation: A discussion was had regarding what would be posted on the Township website. The Committee agreed that this would include: the initial application received, an additional post once the letter from the expert is received that is recognized as accepted and complete, annual testing, and when the Township is testing the soil.
- Ms. Wright made a motion to include a line in the recommendations made by the Committee to the Board of Supervisors explaining the conflict between Title 25 Ch. 299

requiring a tight-fitting lid, that it be water-tight, etc. and the current practice of engineers signing off on this to allow open cement pit storage. Ms. Giovine seconded, and the Committee unanimously passed the motion 7-0-0.

- Ms. Wright made a motion for Mr. Tietjen to email a draft copy of the power point presentation of recommendations to each individual member of the Steering Committee for approval to avoid any improper deliberation by the committee outside of the public sphere. Ms. Giovine seconded the motion, and it was approved 7-0-0.