

**REGULAR MEETING MINUTES**  
**April 25, 2011**

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The Regular Meeting of the Lehigh County Authority was called to order at 12:27 p.m. on Monday, April 25, 2011, Chairman Asa Hughes presiding. Other Members present at the commencement of the meeting were: Tom Muller, Richard Bohner, Emrich Stellar, Brian Nagle, Norma Cusick, and Scott Bieber. Authority Staff present were: Aurel Arndt, Bradford Landon, Pat Mandes, and Cristin Keppel.

Bill Haberstroh from the Authority Wastewater Treatment Plant and Gary Birks from Senator Pat Browne's office were also in attendance.

**REVIEW OF AGENDA**

Mr. Arndt stated that the Wastewater item regarding the Arcadia West Wastewater Treatment Plant Upgrade will be removed from the agenda until issues involving PennVEST have been fully researched. He also noted that a discussion regarding frac water being treated at the Authority Wastewater Treatment Plant will be added following the regular agenda items.

**EXECUTIVE SESSION**

Mr. Arndt stated there would be an Executive Session regarding personnel.

**APPROVAL OF MINUTES**

**February 14, 2011 Workshop Meeting Minutes**

On a motion by Mr. Bieber, seconded by Mr. Stellar, the Board unanimously approved the minutes of the February 14, 2011 Workshop Meeting (6-0). Mr. Bohner abstained from the vote due to his absence at that meeting.

**February 28, 2011 Regular Meeting Minutes**

On a motion by Mr. Nagle, seconded by Mr. Muller, the Board unanimously approved the minutes of the February 28, 2011 Regular Meeting as amended (7-0).

**March 14, 2011 Workshop Meeting Minutes**

On a motion by Ms. Cusick, seconded by Mr. Stellar, the Board unanimously approved the minutes of the March 14, 2011 Workshop Meeting (7-0).

**ACTION AND DISCUSSION ITEMS**

**Employee Flexible Spending Account Benefit – Resolution 4-2011-1 (Approval)**

Mr. Arndt noted the Authority has had a Flexible Spending Plan ("Flex Plan") for about 20 years as part of the employee benefits program. He explained that minor changes were made to the plan as a result of new healthcare laws.

Mr. Hughes asked if many employees use the program.

Mr. Arndt noted that a majority of employees make use of the Flex Plan benefit. Some discussion followed.

Mr. Stellar exited the meeting at 12:53 p.m.

Mr. Nagle inquired if there are any extra costs associated with the changes.

Mr. Arndt stated that there are no costs associated with the changes in the plan.

On a motion by Mr. Muller, seconded by Ms. Cusick, the Board unanimously approved Resolution 4-2011-1, accepting all updates to the Authority's Flexible Spending Account Benefit (6-0).

### **City of Allentown Interconnection – Phase 2**

Mr. Arndt asked if there were any questions regarding the bid tab provided for Phase 2 of the interconnection with the City.

Mr. Bohner asked who provided the engineer's cost estimate.

Mr. Arndt stated the engineer for the project is Barry Isett & Associates. He noted that a contract award is likely to be made in May for this project.

Mr. Bieber asked if the Authority could provide him with some sort of report regarding the details of the interconnection project; Mr. Arndt indicated he would do that. Some discussion regarding project details followed.

### **Vera Cruz Sanitary Sewer System**

Mr. Bieber inquired when the property owners along the Vera Cruz Sewer system will connect after construction is complete.

Mr. Arndt noted that connections will happen in phases: Phase 1 homes will connect in June or July 2011, Phase 2 homes in September or October 2011, and Phase 3 homes in January 2012. He also provided some clarification regarding mandatory connection ordinances. Some discussion followed.

Mr. Hughes asked if there were any updates regarding the Kraft Biogas project.

Mr. Arndt stated Kraft has decided not to pursue the purchase of the biogas from the Authority, as it is too costly at this time.

### **SYSTEM OPERATIONS OVERVIEW**

Mr. Nagle inquired if any sanitary sewer overflows (SSOs) occurred during the frequent wet weather events in April.

Ms. Mandes noted that the Authority did not have any SSOs; however, South Whitehall did as a result of an operational issue.

Mr. Arndt noted that South Whitehall Township had a break in a manhole, which has caused the Authority to run Park Pump Station in wet weather mode daily. This has caused the Authority's expenses to increase temporarily; the Authority plans to speak to South Whitehall about cost reimbursement while waiting for the problem to be fixed.

### **STAFF COMMENTS**

None.

### **SOLICITOR'S COMMENTS**

Solicitor Landon had no comments.

**OTHER COMMENTS****Marcellus Shale Frac Water Treatment**

Mr. Nagle referred to an April 19, 2011 newspaper article regarding Marcellus Shale hydraulic fracturing (fracing). He asked Board and Staff members if the Authority wastewater treatment plant in Fogelsville ("WTP") should take frac water (water discharged from the shale fracking procedure to extract natural gas from the shale), what would be the basis for accepting or rejecting it, and what the consequences to the plant and watershed might be.

Mr. Arndt stated that OMI, Inc., is responsible for managing the hauler waste program at the WTP. He noted that they do evaluations of new wastewaters to decide if the Plant is able to cost effectively and properly treat a waste; however, the WTP has not taken any frac water at this point.

Ms. Mandes stated that shale water may no longer go to certain plants because of certain regulations regarding TDS (total dissolved solids) limits. She explained that the Authority is unsure how taking frac water will affect the WTP and the City of Allentown's Kline's Island Treatment Plant. Ms. Mandes also noted that a thorough analysis needs to be done before any decision is made and that analysis must investigate the effects if the WTP becomes a direct discharge plant as well.

Mr. Haberstroh provided some background on taking frac water, including the ramifications it could have on a treatment plant. He noted that drillers have approached the WTP about taking the material and the plant has taken samples of the water to analyze it. Mr. Haberstroh explained that frac water has high TDS limits; thus, the regulations for treating the water are different. Extensive discussion followed.

Ms. Mandes stated that if the Authority should decide to receive frac water, PA-DEP will have to give the Authority WTP approval to take the shale water and it will then flow to the City's plant.

Mr. Bohner asked about the amount of capital that would be needed to take frac water.

Mr. Haberstroh stated that the initial analysis in 2009 revealed that it is beneficial to take the wastewater and there would be no cost for improvements to the Plant, only chemical enhancements would be needed. He also noted that drillers have been cleaning up the frac water before it even gets to plants to make it easier for plants to treat the wastewater. Discussion followed.

Mr. Arndt stated that any analysis will look at all technical aspects involved, the financial investment needed, public relations impacts, and any environmental ramifications. He also noted the City would have to be agreeable to the WTP treating the frac water because the discharge from the WTP could have effects on the City plant. He also indicated that although OMI, Inc has the latitude to decide unilaterally to treat frac water there has been open communications with LCA whenever any matter related to frac water has arisen, and there is an expectation that OMI would seek LCA's consent because of its ownership of the Western Lehigh interceptor and its agreements with Allentown. He also assured the Board that staff would review all information and conclusions related to treating frac water before making any final decision to do so.

Ms. Mandes noted the evaluation of this issue is not active at the moment because the Authority is waiting for a guidance document for PA-DEP regarding shale water; after that has been reviewed, the Authority will discuss conducting a further evaluation.

**EXECUTIVE SESSION**

The Chairman called for an Executive Session at 1:45 p.m. to discuss personnel matters; everyone left the meeting with the exception of Mr. Arndt and all Board members.

The session ended at 2:00 p.m.

**ADJOURNMENT**

There being no further business, the Chairman adjourned the meeting at 2:02 p.m.

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Richard H. Bohner  
Secretary