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EXHIBIT O2

NOTICE OF VIOLATION (EISENHOWER ROAD)

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March 13, 2015

**NOTICE OF VIOLATION**



Mr. Don Delamater  
2501 Stanbridge Street  
East Norriton, PA 19401

Re: Clean Water/Operations/Sewage  
3029 Eisenhower Road  
East Norriton Township  
Montgomery County

*Copy: Board  
Doug — please Doug a  
Donna Spengel  
Ken HeyDT  
response*

Dear Mr. Delamater:

Our records indicate that a dry weather Sanitary Sewer Overflow (SSO) occurred on **November 9, 2014**, from a manhole at 3029 Eisenhower Road due to grease accumulating in an 8 inch main immediately downstream. Grey water was discharge from the manhole over land. This is an unpermitted discharge of sewage. The SSO was caused by grease in the 8 inch main immediately downstream. The main was jetted to remove the blockage. The sewage solids were raked up and the area was disinfected. Mr. Doug Jones, Director of Public Works/Staff Engineer indicated the 8-inch sewer main between manholes MH 852 and MH 882 will be cleaned and televised to ensure the blockage was removed and the pipe is in good condition.

An unpermitted discharge of sewage to waters of the Commonwealth constitutes violations of Sections 201 and 202 of the Clean Streams Law, the Act of June 22, 1937, P.L. 1987, as amended, 35 P.S. §§ 691.1 - 691.1001 (Clean Streams Law). Such violations also constitute unlawful conduct under Section 611 of the Clean Streams Law, 35 P.S. § 691.611, and are subject to the enforcement provisions of Section 605 of the Clean Streams Law, 35 P.S., § 691.605 which includes the assessment of civil penalties.

As you are aware, Department of Environmental Protection (DEP) considers the prevention and mitigation of SSOs during both dry and wet weather as a high priority. Proper operation and maintenance of your collection system is essential in preventing SSOs from taking place.

We request that you provide DEP with a comprehensive report, which documents the actions that have been and will be taken to prevent dry weather SSOs from occurring in your collection system. This report should be sent to DEP within 30 days of the date of this letter.

Mr. Don Delamater

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March 13, 2015

This Notice of Violation is neither an order nor any other final action of DEP. It neither imposes nor waives any enforcement action available to DEP under any of its statutes. If DEP determines that an enforcement action is appropriate, you will be notified of the action.

If you have any questions, please call me at 484.250.5134.

Sincerely,



Bernard Krasnisky  
Water Quality Specialist  
Clean Water

cc: Mr. Bauer  
Compliance and Monitoring  
East Norriton Township  
File  
Re (GJE15CLW)072



# EAST NORRITON TOWNSHIP

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### Hand Delivered

April 9, 2015

Mr. Bernard Krasnisky  
Water Quality Specialist  
Pennsylvania Department of Environmental Protection  
Southeast Regional Office  
2 East Main Street  
Norristown, PA 19401-4915

Re: Response to Notice of Violation Letter  
Dated March 13, 2015  
3029 Eisenhower Road (3030 Potshop Road)

Dear Mr. Krasnisky:

On Sunday, November 9, 2014 a dry weather Sanitary Sewer Overflow (SSO) occurred from MH 882 located in the rear of the property at 3030 Potshop Road. East Norriton Township (Township) personnel promptly responded to the event, resolved the SSO and reported the incident to the Pennsylvania Department of Environmental Protection (Department) as per Township procedures and Department requirements.

By letter dated March 13, 2015, the Department sent the Township a Notice of Violation (NOV Letter) for this event, requesting a response from the Township detailing efforts that have been taken or will be taken to prevent dry weather SSOs from occurring. Below is a detailed response to the request for both this specific SSO that is the subject of this NOV Letter and for the Township's collection system in general.

#### November 9, 2014 SSO from MH 882

- Overview of actions taken by the Township to respond to SSO event at time of event.
  - On Sunday, November 9<sup>th</sup> at 10:49 am, Doug Jones, Director of Public Works, was notified of a sewer overflow at the above manhole by the East Norriton Police.
  - Mr. Jones immediately called Ed White, Sewer Superintendent, who promptly responded to investigate.

#### OFFICES OF:

ADMINISTRATION • POLICE • PUBLIC SAFETY • FINANCE • PUBLIC WORKS • ZONING & CODE ENFORCEMENT • PARKS & RECREATION

- At 10:58 am, Mr. White called Mr. Jones confirming that a SSO was occurring at this location and then immediately called Sewer Department personnel who promptly responded with the Township's sewer cleaning truck.
  - Township Sewer Department personnel "jetted" the 8-inch sewer main between MH 881 and MH 882 and removed what was originally believed to be a grease blockage.
  - By 11:45 am Mr. Jones was notified by Mr. White that the blockage had been removed and the SSO ceased.
  - At 12:00 pm, Mr. Jones notified the Department of the SSO and left a voicemail message with details of the event.
  - At 12:05 pm, Rex Miller of the Department responded to Mr. Jones' voicemail message and Mr. Jones verbally provided Mr. Miller with details of the event. Mr. Miller asked that Mr. Jones notify him if there was significant impact to the waters of the Commonwealth. Otherwise, the follow up SSO Report faxed to the Department was the only other requested action.
  - No impacts to the waters of the Commonwealth occurred, as this SSO discharged onto the lawns of properties located at 3029 & 3031 Eisenhower Road.
  - All affected lawn areas were raked and disinfected.
- Overview of actions taken by the Township to investigate cause of SSO and prevent future SSOs at MH 882.
    - During the week of November 10, 2014, Township Sewer Department personnel cleaned and televised 1,659 linear feet of 8-inch sewer main between MH 853 on Taft Road and MH 882 to ensure no other obstructions were present.
    - Several large root intrusions were found within this portion of the collection system.
    - Each of the root masses was removed using a mechanical root cutter.
    - This portion of the system will be scheduled for chemical root treatment in 2015 with follow up treatments based on the retreatment schedule recommended by the Township's chemical root control contractor.
    - This portion of the collection system will be placed on the Township's list of locations that require periodic monitoring and maintenance.
  - Overview of other actions to better manage flows at this location.
    - To reduce the possibility of surcharge conditions in this portion of the collection system during extreme wet weather, the Township took the following actions.
      - Added approximately 450 linear feet of 8-inch gravity sewer mains to its collection system to better manage its flows from the westernmost portion of the Township.
      - Specifically, sewers were added between MH 836 & MH 911 on Black Swift Rd. and between MH 907 & MH 1034 on Bunting Rd.

- This allows the flows from the Schultz Road Pump Station to be diverted away from MH 882 and through a portion of the collection system with greater capacity to handle wet weather flows.

### Ongoing and Sustained SSO Prevention Efforts

The Township has maintained a long-standing policy of seeking to work cooperatively with the Department to achieve the common goal of preventing SSOs from the Township's collection system.

During various previous meetings and correspondence with the Department, as well as through the Township's annual Chapter 94 Collection System Questionnaire, the Township has communicated to the Department the various programs and procedures in place to properly operate and maintain its collection and conveyance system. Below you will find key components of the Township's maintenance strategies to achieve the common goal of preventing SSOs.

Chemical Root Control Program - In 2014, the Township continued its chemical root control program to systematically address areas of its service territory that have historically been problematic with respect to root blockages. During the year, 6,589 l.f. of 8" gravity mains were chemically treated. This was a combination of "first time" treatments as well as subsequent treatments to maintain and extend the warranty period provided by the contractor. The Township has funds budgeted in 2015 to continue this program and expects to have a similar quantity of mains treated again through this program. As stated above, the portion of the Township's system between MH 853 and MH 882 will be included in the 2015 program.

Routine Sewer Cleaning & Televising – The Township's Sewer Department maintains a listing of those areas that have previously been problematic. Typically, these are areas where problems have occurred due to grease accumulation and/or root intrusion. These areas are generally cleaned and televised several times a year. The trigger for performing this maintenance activity is the major holidays that occur during the year. The Township cleans and televises these locations prior to these holidays so that the potential for SSOs, and emergency call-outs, is minimized.

Pump Station Operation/Maintenance/Repair/Upgrades – The Township spends a significant amount of time, effort and money to ensure that its pump stations operate properly, reliably and efficiently. Below are just some of the processes, programs and procedures in place to accomplish this task.

Mr. Bernard Krasnisky

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1. All stations are checked every regularly scheduled workday. Any and all routine and preventative maintenance is performed in-house by Township personnel.
2. On-site emergency power capabilities are available at the Township's four (4) largest pump stations (Norris City, Timberlake, Germantown and Einstein). The Township also has two (2) portable trailer-mounted emergency generators capable of powering each of the other stations. One of these portable units is "stationed" at our Burnside Pump Station, while the other portable unit is housed at our Public Works facility and can be towed to any of the other stations on short notice. This unit is versatile enough to power any of the smaller stations, regardless of the configuration or power demands. All of these generators are covered under a preventative maintenance contract the Township has entered into with Penn Power Systems. Under this contract, each generator is inspected twice a year with the preventive maintenance performed on an annual basis. The continued reliability of these units is paramount to our operation and to preventing power related SSOs.
3. In 2014 the Township continued its VFD Replacement Program, where it will replace aging VFDs (9 total) at our three Stony Creek pump stations: Timberlake, Norris City and Germantown. In 2014 the Township replaced one (1) VFD at Norris City and one (1) at Germantown. Funds have been budgeted in 2015 to replace the last aging VFD at Norris City. Two of the three VFDs at Timberlake were replaced in 2012. The third unit at Timberlake, as well as the remaining two (2) at Germantown will be scheduled for replacement during the 2016 budget year. The current VFDs at these stations were all installed as part of pump station upgrades back in the mid-1990s. Also in 2013, Sandra Lane Pump Station was upgraded with VFD controls on both pumps to allow for better flow management to Einstein Pump Station. Again, the improved reliability of the Township's pump stations and their components directly impacts the potential for SSOs.
4. Since 2008, the Township has spent nearly \$135,000 to rebuild pumps at the three (3) Stony Creek pump stations. Funds have been budgeted in 2015 to continue that program. In 2014 a spare pump was ordered for Timberlake Pump Station and is expected to be delivered in early 2015. Once received, the Township will have 3 pumps installed, along with 1 spare pump for each station to ensure both reliable and redundant operations.
5. Whitehall Road Pump Station Upgrade. In 2015, the Township plans to upgrade this aging station. This pump station, in its current configuration, relies on air pressure to convey sewage from containment vessels through a force main and into the downstream gravity collection system. This station has experienced reliability concerns in recent years and the availability of parts has also become an issue. The Township is currently evaluating alternatives to replace the station with a more traditional wet well station with submersible pumps.

Mr. Bernard Krasnisky  
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In addition to that which is contained in this letter, further information can be found in the Township's 2014 Chapter 94 Collection System Questionnaire that was recently submitted to Mr. Jay Jackson of ARRO Consulting, Inc., East Norriton-Plymouth-Whitpain Joint Sewer Authority's consulting engineer, on March 18, 2015 for inclusion in the Authority's Annual Wasteload Management Report, which is also incorporated herein by referenced.

Please do not hesitate to contact me should you need anything additional.

Very truly yours,  
EAST NORRITON TOWNSHIP



Donald D. Delamater  
Township Manager

cc: Board of Supervisors  
Jonathan H. Spergel, Esq., Manko, Gold, Katcher & Fox, LLP  
Kenneth E. Heydt, P.E., Carroll Engineering  
Douglas R. Jones, Director of Public Works