



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265

January 26, 2018

Via E-filing

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Re: Pennsylvania Public Utility Commission, Bureau of Investigation and
Enforcement v. Winola Water Company
Docket No. C-2018-
(Formal Complaint)

Dear Secretary Chiavetta:

Enclosed for electronic filing is the Formal Complaint of the Pennsylvania Public Utility Commission's Bureau of Investigation and Enforcement in the above-captioned proceeding.

Copies have been served on the parties of record in accordance with the Certificate of Service.

Sincerely,

A handwritten signature in blue ink, appearing to read "B. Gorter", is written over a faint, larger blue ink signature that is partially obscured.

Bradley R. Gorter, Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
(717) 783-6150
bgorter@pa.gov

Enclosure

cc: As Per Certificate of Service
Paul Metro, Safety Division Manager
Sunil Patel, Pipeline Safety Division

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement,	:	
	:	
Complainant	:	
	:	Docket No. C-2018-
v.	:	
	:	
Winola Water Company,	:	
	:	
Respondent	:	

NOTICE TO PLEAD

A. **You must file an Answer within 20 days of the date of service of this Complaint.** 52 Pa. Code § 5.61(a). The date of service is the mailing date as indicated at the top of the Secretarial Letter. *See* 52 Pa. Code §1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

B. The answer must be in writing and (1) set forth in paragraphs numbered to correspond with the complaint; (2) advise the parties and the Commission as to the nature of the defense; (3) admit or deny specifically all material allegations of the complaint; (4) state concisely the facts and matters of law relied upon; and, (5) include a copy of a document, or the material part of a document when relied upon in the answer. If the writing or a copy is not available, the answer must set forth that the document is not available and the reason, and set forth the substance of the document. 52 Pa. Code § 5.61(b).

C. Alternatively, you may eFile your Answer using the Commission’s website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary’s Bureau. If you choose to e-file, hard copies should be mailed to:

Bradley R. Gorter, Prosecutor
Michael L. Swindler, Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

D. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

E. You may elect not to contest this Complaint by paying the amounts due within 20 days. Your check or money order for the amounts due should be payable to the Commonwealth of Pennsylvania and mailed to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

F. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

G. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

H. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code §1.21.

I. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement,	:	
	:	
Complainant	:	
	:	Docket No. C-2018-
v.	:	
	:	
Winola Water Company,	:	
	:	
Respondent	:	

FORMAL COMPLAINT

NOW COMES the Pennsylvania Public Utility Commission (“Commission”), by and through its Bureau of Investigation and Enforcement (“I&E”), pursuant to Section 701 of the Public Utility Code (66 Pa.C.S. §701), and files this Formal Complaint against Winola Water Company (“Winola” or “Respondent”) alleging violations of the Pennsylvania Public Utility Code (66 Pa.C.S. §§101 *et seq.*), and Commission regulations found in the Pennsylvania Code (52 Pa. Code §§1.1 *et seq.*). In support of its Formal Complaint, I&E avers the following:

I. Parties and Jurisdiction

1. The Pennsylvania Public Utility Commission is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth pursuant to the Public Utility Code, 66 Pa.C.S. §§ 101, *et seq.* with a mailing address of P.O. Box 3265, Harrisburg, PA 17105-3265.

2. Complainant is the Commission's Bureau of Investigation and Enforcement and is the entity established to prosecute complaints against public utilities pursuant to 66 Pa.C.S. § 308.2(a)(11); *See also Implementation of Act 129 of 2008; Organization of Bureaus and Offices*, Docket No. M-2008-2071852 (August 11, 2011) (delegating authority to initiate proceedings that are prosecutorial in nature to I&E).

3. Complainant's counsel is/are as follows:

Bradley R. Gorter
Prosecutor
bgorter@pa.gov
717.783.6150

Michael L. Swindler
Deputy Chief Prosecutor
mswindler@pa.gov
717.783.6369

Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

4. Respondent, Winola Water Company, is a "public utility" as that term is defined at 66 Pa.C.S. § 102,¹ as it is engaged in providing water service to the public pursuant to a certificate of public convenience issued by the Commission at Docket No. A-210106, on April 13, 2007.

¹ At 66 Pa. C.S. § 102, "Public utility" is defined under that term at subsection (1)(vii) as:

(1) Any person or corporation now or hereafter owning or operating in this Commonwealth equipment or facilities for:

...

(ii) Diverting, developing, pumping, impounding, distributing, or furnishing water to or for the public for compensation.

5. Winola, with a PUC registered mailing address of 1208 Rundle Street, Scranton, PA 18503-1814, is a Pennsylvania corporation that is engaged in distributing water to the public for consumption under the authority granted by its certificate of public convenience.

6. Section 701 of the Public Utility Code, 66 Pa.C.S. § 701, authorizes the Commission, *inter alia*, to hear and determine complaints against public utilities for violations of any law or regulation that the Commission has jurisdiction to administer or enforce.

7. Section 501(a) of the Public Utility Code, 66 Pa.C.S. § 501(a), authorizes and obligates the Commission to execute and enforce the provisions of the Public Utility Code.

8. Section 3301 of the Public Utility Code, 66 Pa.C.S. § 3301, authorizes the Commission to impose civil penalties on any public utility or any other person or corporation subject to the Commission's jurisdiction for violation(s) of the Public Utility Code and/or Commission regulations. Section 3301 further allows for the imposition of a separate fine for each day's continuance of violations that are continuing in nature. 66 Pa.C.S. §3301(b).

9. Respondent, in providing water distribution service for compensation, is subject to the power and authority of this Commission pursuant to Section 501(c) of the Public Utility Code, 66 Pa. C.S. § 501(c), which requires a public utility to comply with Commission regulations and orders.

10. Pursuant to the provisions of the applicable Commonwealth statutes and regulations, the Commission has jurisdiction over the subject matter of this Formal Complaint and the actions of Respondent related thereto.

II. Background

11. Winola is a small privately-held water company in Wyoming County, Pennsylvania, that serves between eight (8) and thirteen (13) year-round customers and approximately twenty-eight (28) seasonal customers² by furnishing potable water service for compensation to these customers.

12. On or about March 19, 2015, Ralph Scartelli, the owner of Winola, contacted the Commonwealth of Pennsylvania, Department of Environmental Protection (“DEP”) indicating that he could no longer afford to maintain Winola’s system and conduct the required monitoring and testing for water treatment.

13. On or about December 2, 2016, DEP conducted an on-site inspection of Winola’s facilities during which DEP measured a chlorine residual in Winola’s system of 0.0 mg/L.

14. In response to violations found during the December 2, 2016, inspection, DEP drafted Field Order 16-21-3229-012 (“Field Order 12”), which DEP issued on December 6, 2016. Copies of the Inspection Report and Field Order 12 are attached hereto and incorporated herein as Exhibit “A.”

² The exact number of year-round and seasonal customers is unknown because Winola has failed to maintain records of which local homes in the local community are connected to its system. I&E believes that some customers, both year-round and seasonal, may have dug wells due to service reliability issues with Winola’s system and no longer access Winola’s system for water service.

15. DEP further found that, due to the insufficient chlorine residual reading, Winola was required to issue a Tier 1 Public Notification in the form of a boil water advisory within 24 hours, which action Winola failed to take. See Exhibit A, at 6.

16. On or about December 16, 2016, DEP conducted an on-site inspection of Winola's system during which DEP observed Winola's physical plant to be in deplorable condition

17. In response to violations found during the December 16, 2016, inspection, DEP drafted Field Order 16-21-3229-013 ("Field Order 13"), which DEP issued on December 20, 2016. Copies of the Inspection Report and Field Order 13 is attached hereto and incorporated herein as Exhibit "B."

18. Among the violations observed were:

- a. Multiple holes and/or cracks in the finished water reservoir that allowed contaminant and vermin access;
- b. Vermin excrement and evidence of access to the treatment facility and the finished water reservoir; and,
- c. Sediment and debris in the finished water reservoir.

See Exhibit B, at 1, 5, 6.

19. In Field Order 13, DEP affirmed the boil water advisory that was instituted in Field Order 12.

20. On or about December 22, 2016, DEP conducted an on-site inspection of Winola's system, during which DEP issued a boil water advisory notice to some of Winola's customers due to Winola's failure to issue a proper boil water advisory.

21. On or about May 23, 2017, Commission Fixed Utility Valuation Engineer III Sunil Patel and Commission Safety Division Manager Paul Metro conducted a site visit to Winola's facilities. In attendance were representatives from Winola, DEP, and the Pennsylvania Office of Consumer Advocate.

22. During the Commission's site visit, I&E observed Winola's system and inspected the finished water reservoir, the treatment facility, and the distribution system.

23. I&E observed holes and cracks in the sides and roof of the reservoir and sediment and debris in the finished water reservoir. Photographs of the exterior and interior of the reservoir are attached hereto as Exhibit "C".

24. I&E observed dead vermin near the finished water reservoir.

25. I&E observed the treatment building in various states of disrepair with obvious evidence of vermin infestation, including excrement. Pictures of the interior of the treatment building are attached hereto as Exhibit "D".

26. At the time of the site visit, Winola's system was still subject to the boil water advisory due to the state of its facilities and its failure to conduct appropriate testing pursuant to Field Order 12 and Field Order 13.

27. On or about May 30, 2017, Winola became compliant with the requirements set forth in Field Order 12 and Field Order 13 in order to safely lift the boil water advisory. Specifically, Winola demonstrated negative coliform bacteria samples on consecutive days, which allowed for the boil water advisory to be lifted.

28. Pursuant to Field Order 12 and Field Order 13, having demonstrated negative bacteria samples, Winola was required within 24 hours to send a problem corrected public notice to its customers.

29. Winola failed to provide its customers with a problem corrected notice until June 21, 2017.

30. Because Winola has not, to date, provided an accurate list of customers and because DEP issued the only known boil water advisory pursuant to Field Order 12 and Field Order 13, it is unclear whether all customers ever received a boil water advisory for the period of December 2, 2016, through May 30, 2017, during which the water provided by Winola to its customers was unsafe to drink without first boiling the water.

31. On or about January 5, 2018, DEP received information from customers of Winola that the water lines had frozen, the reservoir had drained, and the distribution system was not receiving water.

32. DEP conducted a field inspection on January 5, 2018, and observed that the baseboard heater in the treatment building had become inoperable, which led to frozen pipes which interrupted service to Winola's customers for more than twenty-four (24) hours.

33. A contractor for Winola was onsite to replace the heater, and service was restored during the evening on January 5, 2018.

34. I&E believes, and therefore avers, that customers of Winola were without water service from approximately 12:00 PM on January 4, 2018, until approximately 6:00 PM on January 5, 2018.

35. As a result of the January 5, 2018, field inspection, DEP issued Field Order 18-21-3229-001 (“2018 Field Order”). Copies of the Inspection Report and the 2018 Field Order are attached hereto and incorporated herein as Exhibit “E.”

36. In the 2018 Field Order, DEP directed Winola to issue a boil water advisory, repair the system to restore service, and conduct tests of the system to determine chlorine residual levels and coliform bacteria colonies. See 2018 Field Order, at 1, 5.

37. Because Winola failed to issue the boil water advisory, Winola’s customers may have been unaware of the need to boil their water before use.

38. On approximately January 16, 2018, Winola’s certified operator provided to DEP results of the required tests to lift the boil water advisory.

39. Pursuant to the 2018 Field Order, after Winola’s certified operator provided the results of the tests to DEP, Winola was required to issue a problem corrected public notice informing Winola’s customers that the boil water advisory was lifted. See 2018 Field Order, at

40. Winola failed to issue the problem corrected notice that the boil water advisory pursuant to the 2018 Field Order was no longer in effect.

III. Violations

41. Paragraphs 1 through 40 are incorporated herein as if fully set forth.

COUNT ONE

42. From the period of approximately 12:00 PM January 4, 2018, through at least 6:00 PM January 5, 2018, Winola failed to provide water service to its customers.

43. I&E believes, and therefore avers, that Winola failed to maintain its equipment – specifically the electric baseboard heater in the treatment building – and facilities in a reasonable manner, which caused the system’s pipes to freeze and interrupted service.

44. Winola further failed to maintain its finished water reservoir by allowing the reservoir to deteriorate to the point where the reservoir had holes in the reservoir walls and roof that allowed access to contaminants, sediment, debris, and vermin. See Exhibit C, Exhibit D.

45. By failing to provide water service to its customers and by failing to adequately maintain its facilities and equipment, Winola has failed to furnish and maintain adequate, efficient, safe and reasonable service and facilities and has failed to make all such repairs, changes, alterations, substitutions, extensions, and improvements as necessary for the accommodation, convenience, and safety of its patrons, employees, and the public, all in violation of 66 Pa.C.S. § 1501. Winola has further failed to maintain reasonably continuous service without unreasonable interruptions in violation of 66 Pa.C.S. § 1501.

COUNTS TWO AND THREE

46. Pursuant to DEP’s Field Order 12 and Field Order 13, Winola’s system was under a boil water advisory beginning on December 6, 2016.

47. This boil water advisory remained in place during the Commission’s field inspection on May 23, 2017.

48. Winola failed to issue the appropriate boil water advisory public notice to its customers, which resulted in DEP issuing a boil water advisory to as many customers as it could identify.

49. Winola became compliant on or around May 30, 2017, but failed to issue a problem corrected public notice until June 21, 2017.

50. Due to the service outage from January 4, 2018, to January 5, 2018, Winola's system was subject to another boil water advisory.

51. Pursuant to DEP's 2018 Field Order, Winola was required to issue a boil water advisory public notice.

52. Winola failed to issue the boil water advisory pursuant to the 2018 Field Order.

53. I&E believes that Winola's water service has been restored and that Winola is now compliant with the 2018 Field Order; however, Winola has not issued an appropriate problem corrected public notice to its customers lifting the boil water advisory.

54. Due to Winola's failure to advise its customers of the boil water advisories and subsequent failures to issue public notices that the boil water advisories were lifted, Winola's customers have not had any reliable communication regarding the potability of their water from December 2016 to June 2017, and again from January 4, 2018, through the date of this filing.

55. By failing to issue proper boil water advisory public notices and public notices that the boil water advisories were lifted, Winola has failed to furnish and

maintain adequate, efficient, safe and reasonable service and facilities and has failed to make all such repairs, changes, alterations, substitutions, extensions, and improvements as necessary for the accommodation, convenience, and safety of its patrons, employees, and the public, all in violation of 66 Pa.C.S. § 1501.

IV. Relief Requested

WHEREFORE, for all the foregoing reasons, the Bureau of Investigation and Enforcement of the Pennsylvania Public Utility Commission respectfully requests that, after consideration of the record, the Office of Administrative Law Judge and the Commission find Winola in violation of each and every count as set forth herein and grant the following relief:

- a. Winola be ordered to pay a civil penalty in the amount of \$15,000 pursuant to 66 Pa.C.S. § 3301(c). Said payment shall be made by certified check or money order payable to the Commonwealth of Pennsylvania and presented to the undersigned prosecutor within thirty (30) days of the date of the Commission's order sustaining this complaint;
- b. Winola not be permitted to recover any portion of the civil penalty through rates regulated by the Commission;
- c. Winola be ordered to perform all necessary repairs and maintenance to ensure adequate, efficient, safe and reasonable service and facilities;
- d. That the certificate of public convenience issued to Winola Water Company is hereby cancelled.

Respectfully submitted,



Bradley R. Gorter
Prosecutor
PA Attorney ID No. 312666

Date: January 25, 2018

VERIFICATION

I, Sunil R. Patel, Fixed Utility Valuation Engineer III of the Pennsylvania Public Utility Commission's Bureau of Investigation and Enforcement ("I&E"), hereby state that the facts above set forth are true and correct to the best of my knowledge, information, and belief and that I expect that I&E will be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: January __, 2018



Sunil R. Patel

Exhibit A

WATER SUPPLY INSPECTION REPORT

FACILITY NAME Winola Water Co.	PWS ID NO. 2660004	INSPECTION DATE 12/02/16
FACILITY LOCATION/ADDRESS Lake Winola Rd	COUNTY Wyoming	MUNICIPALITY Overfield Township
RESPONSIBLE OFFICIAL'S NAME Ralph Scartelli	TELEPHONE NO. 570 - 582-3260 488-6063	
	SYSTEM TYPE COMM	POPULATION 130
CERTIFIED OPERATOR'S NAME None	FIELD ORDER NO. 16 - 21 - 3229 - 012	
	ISSUE DATE (MM/DD/YY) 12/06/2016	

V I O L A T I O N S	Description	X	C1. Failure to meet design/construction stds.	X	eFACTS INFO	
	A1.	Failure to respond to an emergency	X	C1.		Insp. ID#:
A2.	Failure of key treatment processes	X	C2.		Vid. ID#:	in back
A3.	Failure to respond to an acute violation	X	C3.	X	INSPECTION TYPE	
B1.	Failure to provide an adequate supply		C4.	X		
B2.	Failure to provide min. disinfectant residual	X	C5.	X	FULL	
B3.	Failure to respond to PMCL/TT violation	X	C6.		PARTIAL	X
B4.	Failure to comply with an Order		C7.	X	COMPLAINT	
B5.	Failure to obtain a permit		D1.	X	FOLLOWUP	
B6.	Other significant deficiencies	X	E1.			

NARRATIVE Site visit by Crystal Mickalowski, DEP Sanitarian Supervisor, and I on this date to conduct an inspection of the system and measure free chlorine residuals after being notified by the system's former certified operator that a Total Coliform Bacteria sample and distribution chlorine residual have not been collected from the system since October 27, 2016.

The Department inspected the area surrounding the reservoir and the "Big Oaks" well house, drove past the "Middle Oaks" well house, and toured the distribution system.

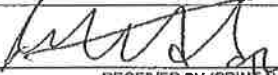

The Department went to the Boathouse Bar to collect a free chlorine residual, as it was the only building accessible to the Department during the inspection. While at the Boathouse Bar, we spoke with the bar manager, who stated that the bar is indeed connected to the water company as well as at least 10 other full-time residences around that end of the lake. The residual collected from the restroom sink measured 0.00 mg/L. Since there was no chlorine residual within the distribution system, Field Order 16-21-3229-012 is being issued.

Violations cited in Field Order 16 - 21 - 3229 - 012:

- A1—Failure to respond to an emergency
- A2—Failure of key treatment processes
- A3—Failure to respond to an acute violation
- B2—Failure to provide minimum disinfectant residual
- B3—Failure to respond to a treatment technique violation
- C3—Failure to treat as permitted
- C4—Failure to operate and maintain the water system
- C5—Failure to obtain certified operator
- C7—Failure to comply with a permit condition
- D1—Failure to maintain/submit the daily plant records

The system failed to respond to an emergency and take the actions necessary to protect public health when the system failed to hire a certified operator to operate and maintain the water system when the previous operator resigned on approximately October 27, 2016. Mr. Dan Farnham, the previous operator, stated that this was the last date of his involvement with the water system and stated that he informed Mr. Scartelli of this information via numerous telephone calls. As a result, the permitted sodium hypochlorite disinfection system is not being operated or maintained by certified personnel. Therefore, the process of continuous disinfection that was permitted by the Department to ensure compliance with bacteriological maximum contaminant levels has been eliminated as evidenced by the lack of a free chlorine residual in the distribution system. In addition, the system has failed to monitor the entry point chlorine residual on a daily basis as required under the Groundwater Rule. By failing to conduct this required monitoring, the water system cannot ensure that continuous 4-log treatment of viruses has been maintained. As a result of the inability to ensure that continuous 4-log treatment of viruses was/is being provided, the system was required to notify the Department within one (1) hour of discovery of the violation and issue a Tier 1 public notice within 24 hours which did not occur.

WATER QUALITY SAMPLING POINT LOCATION	SAMPLE NUMBER	pH	CHLORINE		TURBIDITY	OTHER	COLLECTION TIME	SAC #
			F	T				
Boathouse Bar Ladles Restroom Sink			0.00					

 RECEIVED BY (PRINT NAME) RECEIVED BY (SIGNATURE AND DATE)	Gina Kellert INVESTIGATOR (PRINT NAME)  INVESTIGATOR (SIGNATURE AND DATE)	SUPV. INITIALS PADWIS UPDATED
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VIOLATION	REGULATION REFERENCE
Imminent Threat Violations	
A1. Failure to respond to an emergency situation (includes: waterborne disease outbreaks, waterborne emergencies, spills or prolonged water outages).	109.4, .408, .701(a)(3)
A2. Failure to provide or significant interruption in key water treatment processes (includes: disinfection, filtration or nitrate removal).	109.4(2), .202(c), .1203, .1302, .1307(a)(1)(ii)
A3. Failure to respond to an acute violation/situation (includes: reporting to DEP, public notification, investigation of cause and corrective measures for the following acute violations: TT violation of CFE max. allowable turbidity, TT violation for <i>Cryptosporidium</i> , breakdown in treatment for GW sources, MRDL exceedance of chlorine dioxide, MCL exceedance of nitrate/nitrite, MCL exceedance for total coliform w/ fecal coliforms or <i>E. coli</i> present, or finished water turbidity exceedance for unfiltered SW).	109.4, .408, .701(a)(3), .1307(a)(1)(ii)
Priority Violations	
B1. Failure to provide an adequate supply of water (includes: source, storage and distribution system inadequacies).	109.602, .603
B2. Failure to provide acceptable minimum disinfectant residual throughout the distribution system.	109.710
B3. Failure to respond to non-acute PMCL or treatment technique violation (includes: reporting to DEP, public notification, investigation of cause/ corrective actions).	109.4, .202, .409, .701(a)(3), .1102(b)(1), .1203, .1302
B4. Failure to comply with an Order issued by the DEP.	Section 13(a) of Act 43 (SDWA)
B5. Failure to obtain a permit, innovative technology permit, major permit amendment, or emergency permit.	109.501-.507, .1105
B6. Other violations deemed to be significant deficiencies (M/R violations such as chronic failure to monitor, selective reporting, data recorder malfunctions; facility/administrative violations that are contributing to an imminent threat/priority violation or are chronic/persistent).	109.4, .301, .303, .701, .1303
Facility Violations	
C1. Failure to meet design and construction standards.	109.602-.609, .611-.612
C2. Failure to conduct performance monitoring or monitoring for accredited-by-rule parameters (such as fluoride, turbidity, residual disinfectant, WQPs, etc.) OR failure to use approved methods for accredited-by-rule parameters.	109.301, .301(7)(iii)(F), .304(c), .1103, .1305(a)
C3. Failure to provide level of treatment as designed and permitted, failure to filter to waste.	109.703
C4. Failure to operate and maintain the water system or implement O&M Plan.	109.4, .702
C5. Failure to obtain an operator with the appropriate certification.	109.4, .704
C6. Improper interruption and repairs, failure to disinfect facilities.	109.708, .711
C7. Failure to comply with a permit condition.	109.504(c)
Administrative Violations	
D1. Failure to maintain/submit: daily plant records, sample siting plan, water supplier complaint log, water supplier sanitary surveys, operation and maintenance plan, distribution map, emergency response plan or cross-connection control plan.	109.701, .702, .705, .706, .707, .709, .1107
E1. Violations of other Safe Drinking Water Regulations (examples: PMCL/MRDL/TT, SMCL, unregulated contaminants, M/R, special monitoring)	109.202, .203, .301 or .302



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

FIELD ORDER

(PLEASE PRINT AND PRESS FIRMLY)

SYSTEM NAME Winola Water Company	PWS ID No. 2660004	CASE NUMBER 16-21-3229-012
LOCATION Urie St., Lake Winola, PA 18625	MUNICIPALITY Overfield Township	COUNTY Wyoming County
PERSON TO WHOM ORDER IS DIRECTED Winola Water Company, c/o Mr. Ralph Scartelli	TELEPHONE NUMBER 570-562-3260	
MAILING ADDRESS 724 North Webster Avenue, Scranton, PA 18510		
NAME AND TITLE OF PERSON SERVED Mr. Ralph Scartelli, Owner	DATE ORDER SERVED 12/8/2016	
<p>The Commonwealth of Pennsylvania, the Department of Environmental Protection ("Department"), has made the following Findings of Fact:</p> <ol style="list-style-type: none"> 1. The Department is the agency with authority to administer and enforce the Pennsylvania Safe Drinking Water Act, the Act of May 1, 1984, P.L. 206, No. 43, 35 P.S. §§721.1-721.19 ("SDWA"), and Section 1917-A of the Administrative Code, the Act of April 9, 1929, P.L. 177, as amended, 71 P.S. §510-17, and the regulations of the Environmental Quality Board adopted pursuant thereto. 2. The person named above to whom this order is directed ("Recipient") owns and/or operates a public water system at the location identified above. 3. The undersigned authorized representative of the Department conducted an inspection of the public water system identified above on <u>12/2/2016</u>. 4. The operation of this water system with the violation(s) identified in this Order is a violation of the Sections of the Department's regulations cited herein and the SDWA and constitutes a public nuisance under Section 12 of the SDWA, 35 P.S. §721.12. 5. Section 13 of the SDWA, 35 P.S. §721.13, provides that the Department may assess a civil penalty of up to Five Thousand Dollars (\$5,000.00) per day for each violation of the SDWA. 		
<p>Description of Violation:</p> <p>A1—Failure to respond to an emergency A2—Failure of key treatment processes A3—Failure to respond to an acute violation B2—Failure to provide minimum disinfectant residual B3—Failure to respond to a treatment technique violation C3—Failure to treat as permitted C4—Failure to operate and maintain the water system C5—Failure to obtain certified operator C7—Failure to comply with a permit condition D1—Failure to maintain/submit the daily plant records</p> <p>The system failed to respond to an emergency and take the actions necessary to protect public health when the system failed to hire a certified operator to operate and maintain the water system when the previous operator resigned on approximately October 27, 2016. Mr. Dan Farnham, the previous operator, stated that this was the last date of his involvement with the water system and stated that he informed Mr. Scartelli of this information via numerous telephone calls. As a result, the permitted sodium hypochlorite disinfection system is not being operated or maintained by certified personnel. Therefore, the process of continuous disinfection that was permitted by the Department to ensure compliance with bacteriological maximum contaminant levels has been eliminated as evidenced by the lack of a free chlorine residual in the distribution system. In addition, the system has failed to monitor the entry point chlorine residual on a daily basis as required under the Groundwater Rule. By failing to conduct this required monitoring, the water system cannot ensure that continuous 4-log treatment of viruses has been maintained. As a result of the inability to ensure that continuous 4-log treatment of viruses was/is being provided, the system was required to notify the Department within one (1) hour of discovery of the violation and issue a Tier 1 public notice within 24 hours which did not occur.</p>		
<p>Location of Violation: Winola Water Company, Urie St., Lake Winola, PA 18625</p>		
<p>Provisions of Regulation, Statute or Permit Violated: 25 PA Code, Sections 109.4, 109.504(c), 109.703(a), 109.704, 109.1107, 109.1302, 109.1305(a)(2), 109.1307(a)</p>		



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

FIELD ORDER (continuation)

SYSTEM NAME Winola Water Company	PWS ID No. 2660004	CASE NUMBER 16-21-3229-012
<p>Description of Violation: C4—Failure to operate and maintain the water system</p> <p>The system failed to operate and maintain the water system as evidenced by the openings in the screening material around the outside of the finished water reservoir. These openings could allow contamination into the reservoir and finished water contained therein.</p> <p>B6 – Significant Deficiency—The above violation also constitutes a “Significant Deficiency” under the Groundwater Rule, as the openings to the reservoir either are or have the potential to allow the introduction of contamination into the water delivered to consumers.</p>		
<p>Location of Violation: Winola Water Company, Urie St., Lake Winola, PA 18625</p>		
<p>Provisions of Regulation, Statute or Permit Violated: 25 PA Code, Sections 109.4 and 109.1302(c)</p>		
<p>Description of Violation:</p>		
<p>Location of Violation:</p>		
<p>Provisions of Regulation, Statute or Permit Violated:</p>		
<p>Description of Violation:</p>		
<p>Location of Violation:</p>		
<p>Provisions of Regulation, Statute or Permit Violated:</p>		



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

FIELD ORDER (continuation)

(PLEASE PRINT AND PRESS FIRMLY)


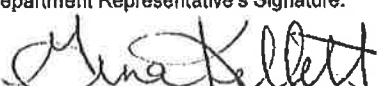
SYSTEM NAME Winola Water Company	PWS ID No. 2660004	CASE NUMBER 16-21-3229-012
Pursuant to Sections 5, 10 and 12 of the SDWA, 35 P.S. §§721.5, 721.10 and 721.12; and Section 1917-A of the Administrative Code of 1929, 71 P.S. §510-17, it is hereby ordered that the owner shall perform the corrective actions listed below within the designated time.		
<p>Corrective Action/Abatement Schedule Required:</p> <ol style="list-style-type: none"> 1. Within twenty four (24) hours of receipt of this order, the Supplier shall Issue Tier 1 Public Notification, in the form of a Boil Water Advisory, to all customers in accordance with the provisions of 25 PA Code, section 109.408. Copies of the completed public notice, as well as the completed public notification certification form, must be submitted to Ms. Crystal Mickalowski, PADEP, 2 Public Square, Wilkes-Barre, PA 18701-1915, within ten (10) days of issuance. 2. Within three (3) days of receipt of this order, the Supplier shall take the actions necessary to repair the openings in the screening material around the outside of the finished water reservoir. Once completed, the inside of the reservoir and finished water contained therein shall also be inspected to ensure that there is no visible evidence of contamination to the finished water. If contamination is found, the Supplier shall remove the contamination and flush the reservoir to eliminate the contaminated water until an acceptable free chlorine residual of at least 0.40 mg/l is being maintained at the entry point to the distribution system. 3. Within seven (7) days of receipt of this order, the Supplier shall hire a certified operator of the proper class and subclass to operate and maintain the water system. 4. Within twenty four (24) hours of hiring a certified operator and upon verification that a minimum free chlorine residual of at least 0.40 mg/l is being maintained at the entry point to the distribution system, the Supplier shall initiate and continue daily free chlorine compliance monitoring. The results of which shall be recorded daily and reported via the Drinking Water Electronic Lab Reporting (DWELR) system by the tenth of the following month. 5. Within twenty four (24) hours of verification that a minimum free chlorine residual of at least 0.40 mg/l is being maintained at the entry point to the distribution system, the Supplier shall begin the collection of daily coliform bacteria samples from the distribution system. Sample collection must continue on a daily basis until such time when the results demonstrate no coliform bacteria colonies are present on two consecutive days and the Department approves the lifting of the boil water advisory. 6. Within twenty four (24) hours of receiving Department approval to lift the boil water advisory, the Supplier shall issue a "Problem Corrected" public notice to all customers, in accordance with the provisions of 25 PA Code, section 109.408. Copies of the completed public notice, as well as the completed public notification certification form, must be submitted to Ms. Crystal Mickalowski, PADEP, 2 Public Square, Wilkes-Barre, PA 18701-1915, within ten (10) days of issuance. 7. The above stated timeframes shall not be altered unless discussed in advance of the deadline and approved in writing by the Department. 		
<p style="text-align: center;">NOTICE OF APPEAL RIGHTS</p> <p>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.</p> <p>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.</p> <p>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 AT 717-787-3483 FOR MORE INFORMATION.</p>		
<p>The undersigned person hereby acknowledges receipt of this order and any attachment(s) hereto. This signature does not constitute an acknowledgement that any or all of the violations listed above have occurred or continue to occur.</p> <p>Received by:</p> 	<p>Department Representative (Name & Title - Please Print) Gina Kellett - Sanitarian</p> <hr/> <p>Telephone Number: (570) 826-2411</p> <p>Department Representative's Signature:</p> 	

Exhibit B

WATER SUPPLY INSPECTION REPORT

FACILITY NAME Winola Water Co.	PWS ID NO. 2660004	INSPECTION DATE 12/16/16
FACILITY LOCATION/ADDRESS Urie St., Lake Winola, PA 18626	COUNTY Wyoming	MUNICIPALITY Overfield Township
RESPONSIBLE OFFICIAL'S NAME Ralph Scartelli	TELEPHONE NO. 670 - 499 - 6063	
	SYSTEM TYPE COMM	POPULATION 130
CERTIFIED OPERATOR'S NAME None—to be determined	FIELD ORDER NO. 16 - 21 - 3229 - 013	
	ISSUE DATE (MM/DD/YY) 12/20/16	

VIOLATIONS	Description	X	Description	X	eFACTS INFO
	A1.	Failure to respond to an emergency	X	C1.	Failure to meet design/construction stds.
A2.	Failure of key treatment processes	X	C2.	Failure to conduct performance monitoring	
A3.	Failure to respond to an acute violation	X	C3.	Failure to treat as permitted	INSPECTION TYPE
B1.	Failure to provide an adequate supply		C4.	Failure to operate and maintain PWS	
B2.	Failure to provide min. disinfectant residual	X	C5.	Failure to obtain certified operator	FULL <input checked="" type="checkbox"/>
B3.	Failure to respond to PMCL/TT violation	X	C6.	Improper interruption/repair	PARTIAL <input type="checkbox"/>
B4.	Failure to comply with an Order	X	C7.	Failure to comply with permit condition	COMPLAINT <input type="checkbox"/>
B5.	Failure to obtain a permit	X	D1.	Reports/Records/Maps	FOLLOWUP <input checked="" type="checkbox"/>
B6.	Other significant deficiencies	X	E1.	Other	

NARRATIVE Site visit from myself and Crystal Mickalowski on this date to conduct a full inspection of the system. Mr. Scartelli could not be present at this inspection, so he sent Jud, a representative of the water system to open the well houses and reservoir for the inspection.

The Department inspected the reservoir and the "Big Oaks" well house. The Department was unable to gain access to the "Middle Oaks" well house; as it appeared either the lock was frozen or the key did not work. A follow-up inspection will need to occur to view this well house.

Upon inspection of the "Big Oaks" well house/treatment building, it was clear that the system is not being operated and maintained. When we entered the "Big Oaks" building, it was observed that it is used to store yard equipment and other materials. The well and treatment system are in a back corner of the shed in a little room made of a few pieces of insulation. The door to the treatment area is held closed with what appears to be a wire coat hanger.

When the door was opened, the remains of a dead animal were observed on the ground just inside the room. The well is about a foot above grade and encased in concrete. The split-style sanitary seal well cap appeared to be missing a bolt, leaving hole in the well cap. The container for the digital colorimeter was observed sitting on the concrete. The chlorine day tank is a non-NSF approved container that appears to be some-type of chemical drum. The non-NSF 61 (or equivalent) approved chlorine pump did not appear to be operational for some time, as evidenced by an air bubble in the injection tubing. Vermin intrusion of the treatment room and surrounding area was observed as evidenced by a large amount of rodent excrement on the colorimeter case, concrete surrounding the well, the day tank, and the ground near the well.

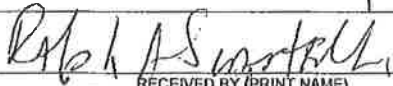
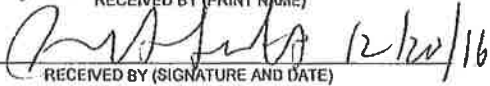

Upon inspection of the finished water reservoir, it was discovered that the system did attempt to correct the cited violation regarding the holes in the screening. A thicker, larger scale mesh screen was installed on the reservoir to fix the holes. There were a number of holes still visible in the screen. In addition there were new holes visible. Some of the holes appeared to be areas where the screen was simply not properly attached to the structure or the other screen. Other holes appeared to be chewed. A hole was observed in the screen on the overflow vent. Upon further investigation, a large amount of debris was observed in the vent on top of the screen. It appears that this could be a rodent nest, as evidenced by a chewed hole in the screen and a tuft of what appears to be fur coming from the hole. Once the hatch on the roof of the reservoir was opened, it was observed that there is contamination within the reservoir. A number of leaves, a large piece of insulation board, and a dead rodent were observed to be floating on the water.

Due to the conditions observed during the onsite inspection, Field Order 16-21-3229-013 will be issued. The system is already on a Boil Water Advisory and will remain on one until the violations are corrected.

Violations cited on Field Order 16-21-3229-013 are listed on the next page...

(Continued on Page 2)

WATER QUALITY SAMPLING POINT LOCATION	SAMPLE NUMBER	pH	CHLORINE		TURBIDITY	OTHER	COLLECTION TIME	SAC #
			F	T				

 RECEIVED BY (PRINT NAME)	Gina Kellett INVESTIGATOR (PRINT NAME)	_____ SUPV. INITIALS
 RECEIVED BY (SIGNATURE AND DATE)	 INVESTIGATOR (SIGNATURE AND DATE)	_____ PADWIS UPDATED

VIOLATION	REGULATION REFERENCE
Imminent Threat Violations	
A1. Failure to respond to an emergency situation (includes: waterborne disease outbreaks, waterborne emergencies, spills or prolonged water outages).	109.4, .408, .701(a)(3)
A2. Failure to provide or significant interruption in key water treatment processes (includes: disinfection, filtration or nitrate removal).	109.4(2), .202(c), .1203, .1302, .1307(a)(1)(ii)
A3. Failure to respond to an acute violation/situation (includes: reporting to DEP, public notification, investigation of cause and corrective measures for the following acute violations: TT violation of CFE max. allowable turbidity, TT violation for <i>Cryptosporidium</i> , breakdown in treatment for GW sources, MRDL exceedance of chlorine dioxide, MCL exceedance of nitrate/nitrite, MCL exceedance for total coliform w/ fecal coliforms or <i>E. coli</i> present, or finished water turbidity exceedance for unfiltered SW).	109.4, .408, .701(a)(3), .1307(a)(1)(ii)
Priority Violations	
B1. Failure to provide an adequate supply of water (includes: source, storage and distribution system inadequacies).	109.602, .603
B2. Failure to provide acceptable minimum disinfectant residual throughout the distribution system.	109.710
B3. Failure to respond to non-acute PMCL or treatment technique violation (includes: reporting to DEP, public notification, investigation of cause/ corrective actions).	109.4, .202, .409, .701(a)(3), .1102(b)(1), .1203, .1302
B4. Failure to comply with an Order issued by the DEP.	Section 13(a) of Act 43 (SDWA)
B5. Failure to obtain a permit, innovative technology permit, major permit amendment, or emergency permit.	109.501-.507, .1105
B6. Other violations deemed to be significant deficiencies (M/R violations such as chronic failure to monitor, selective reporting, data recorder malfunctions; facility/administrative violations that are contributing to an imminent threat/priority violation or are chronic/persistent).	109.4, .301, .303, .701, .1303
Facility Violations	
C1. Failure to meet design and construction standards.	109.602-.609, .611-.612
C2. Failure to conduct performance monitoring or monitoring for accredited-by-rule parameters (such as fluoride, turbidity, residual disinfectant, WQPs, etc.) OR failure to use approved methods for accredited-by-rule parameters.	109.301, .301(7)(iii)(F), .304(c), .1103, .1305(a)
C3. Failure to provide level of treatment as designed and permitted, failure to filter to waste.	109.703
C4. Failure to operate and maintain the water system or implement O&M Plan.	109.4, .702
C5. Failure to obtain an operator with the appropriate certification.	109.4, .704
C6. Improper interruption and repairs, failure to disinfect facilities.	109.708, .711
C7. Failure to comply with a permit condition.	109.504(c)
Administrative Violations	
D1. Failure to maintain/submit: daily plant records, sample siting plan, water supplier complaint log, water supplier sanitary surveys, operation and maintenance plan, distribution map, emergency response plan or cross-connection control plan.	109.701, .702, .705, .706, .707, .709, .1107
E1. Violations of other Safe Drinking Water Regulations (examples: PMCL/MRDL/TT, SMCL, unregulated contaminants, M/R, special monitoring)	109.202, .203, .301 or .302



**NARRATIVE DESCRIPTION FORM FOR WATER SUPPLY SYSTEMS
(CONSULTATION, ETC.)**

Facility Name: Winola Water Co.		Date: 12-16-16	PWS No.: 2660004
Address: Urie St., Lake Winola, PA 18625		City, Boro, Twp.: Overfield Twp	County: Wyoming

Enter Description:

Violations Cited in Field Order 16-21-3229-013

A2—Failure of key treatment processes

- Upon inspection, it was discovered that the sodium hypochlorite solution injection pump was air bound thus prevented the chlorine solution from being injected into the water system

A3—Failure to respond to an acute violation

- The water supplier failed to respond when the sodium hypochlorite solution injection pump became air bound thus preventing the chlorine solution from being injected into the water system.
- The water supplier failed to take the actions necessary to protect public health when they failed to contact the Department within one (1) hour and failed to issue Tier 1 Public Notice to all affected customers within twenty four (24) hours of becoming aware of the emergency situation.

B2—Failure to provide minimum disinfectant residual/ C3—Failure to treat as permitted

- The system failed to maintain the permitted minimum entry point chlorine residual necessary to ensure 4-log inactivation of viruses.

B3—Failure to respond to a treatment technique violation

- The water supplier also failed to take the actions necessary to restore the entry point chlorine residuals to permitted levels within four (4) hours of discovery of the situation.

B6 – Other significant deficiencies

- The above violations also constitute a significant deficiency under the Groundwater Rule, as inadequate treatment could allow viable viruses in fecally contaminated water to enter the distribution system

A1—Failure to respond to an emergency

- Upon inspection, vermin excrement was discovered around and on top of the Big Oaks well casing, on the sodium hypochlorite day tank lid and around the openings, on the ground of the treatment room, and lying on the screening material around the finished water reservoir. In addition, dead rodents were found in the Big Oaks treatment room and floating in the finished water reservoir.
- Since, these conditions were present, the system failed to perform the actions necessary to ensure that safe and potable water is continuously supplied to the users.
- The water supplier failed take the actions necessary to protect public health when they failed to contact the Department within one (1) hour and failed to issue Tier 1 Public Notice to all affected customers within twenty four (24) hours of becoming aware of the emergency situation.

A3—Failure to respond to an acute violation/situation

- The well cap for the Big Oaks well appears to be missing a bolt and therefore may not be providing a sanitary seal. Since the area is covered with vermin excrement, the missing bolt could allow contamination to enter directly into the well.
- The metal screening that was installed on the outside of the reservoir is not of a small enough mesh size to prevent insect intrusion into the finished water reservoir.
- The openings in the screens surrounding the reservoir are allowing contamination into the reservoir and finished water contained therein, as evidenced by the vermin feces, chewed up acorns, and other material on the top of the reservoir insulation, and floating debris on top of the reservoir.
- The water supplier failed take the actions necessary to protect public health when they failed to contact the Department within one (1) hour and failed to issue Tier 1 Public Notice to all affected customers within twenty four (24) hours of becoming aware of the emergency situation.

C4—Failure to operate and maintain the water system

- The lack of operation and maintenance to the entire system resulted in the above noted violations and conditions.

B6 – Other significant deficiencies

- The above violations also constitute a significant deficiency under the Groundwater Rule, as the fecal material could be entering the well column and/or chlorine solution day tank, and the openings to the reservoir are allowing the introduction of contamination into the water delivered to consumers as evidenced by the floating dead rodent.

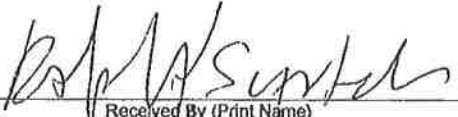
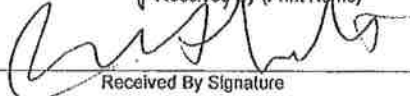

In order to address the violations noted above, the system needs to comply with the corrective actions and specified timeframes detailed in Field Order 16-21-3229-013.

		Gina Kellett	
Received By (Print Name)		Investigator (Print Name)	
	12/20/16		12/20/16
Received By Signature	Date	Investigator Signature	Date
			Supervisor's Initials



**NARRATIVE DESCRIPTION FORM FOR WATER SUPPLY SYSTEMS
(CONSULTATION, ETC.)**

Facility Name: Winola Water Co.		Date: 12-16-16	PWS No.: 2660004
Address: Urle St., Lake Winola, PA 18625		City, Boro, Twp.: Overfield Twp	County: Wyoming
Enter Description:			
Violations Continued:			
<u>Other Violations:</u>			
<p>B4 - The system failed to comply with an Order, when the system failed to take the required corrective actions within the appropriate timeframe as detailed in Field Order 16-21-3229-012.</p> <ul style="list-style-type: none"> - The system attempted to repair the opening in the screening material around the outside of the finished water reservoir. However, the system failed to properly repair the openings, when a large scale mesh screen was installed on the reservoir. These openings in the screen could continue to allow contamination to enter into the finished water. In addition, the inside of the finished water reservoir and the finished water therein did not appear to be inspected by the system, as there was no evidence of the hatch being opened in the time period between the issuance of the Field Order and the full inspection. If the system did inspect the finished water reservoir, the system failed to remove the contamination and flush the reservoir to eliminate the contaminated water, as evidence by visible contamination being present in the finished water during the full inspection (i.e. the dead rodent, insulation board, etc.). - The system failed to hire a certified operator of proper class and subclass to operate and maintain the water system within seven (7) days. Mr. Scartelli has been in communication and has met with Dan Farnham, the former certified operator. However, Mr. Farnham has not agreed to return as the system's certified operator. <p>- Since the system failed to hire a certified operator, the system could not complete the remaining corrective actions (4 through 6) on Field Order 16-21-3229-012.</p> <p>B5 - Failure to obtain a permit</p> <ul style="list-style-type: none"> - It was discovered that the 4-log inactivation of viruses demonstration form originally submitted to the Department to obtain a 4-log permit is inaccurate due to the lack of an entry point tap in the Big Oaks treatment, and it is unknown whether the permitted values in the current 4-log permit are accurate to provide 4-log inactivation of viruses. Therefore, the system needs to resubmit an accurate 4-log demonstration form to the Department, so that an amended 4-log operations permit may be issued by the Department to the system. In the interim, all Entry Point sampling needs to be collected from the first service connection after the reservoir. - The system replaced the roof of the finished water reservoir without obtaining a construction and amended operations permit from the Department. <p>C1 - Failure to meet design/construction standards</p> <ul style="list-style-type: none"> - The system does not have an NSF (or equivalently approved) sodium hypochlorite day tank and chemical injection pump for the Big Oaks Well. The Middle Oaks Well and associated treatment could not be observed. - The system does not have a true raw water tap or a check valve after the Big Oaks well. The Middle Oaks well could not be observed. - The system does not have a proper entry point tap in the Big Oaks Treatment Building. 			
Please contact the Department as each corrective action and/or violation is addressed, so that a follow-up inspection can be scheduled.			
570 - 826 - 2411 Direct Line			
570 - 826 - 2511 Main/24-hour Emergency Line			

 Received By (Print Name)	Gina Kellett Investigator (Print Name)		
 Received By Signature	12/20/16 Date	 Investigator Signature	12/20/16 Date
			Supervisor's Initials



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

FIELD ORDER

(PLEASE PRINT AND PRESS FIRMLY)

SYSTEM NAME Winola Water Company	PWS ID No. 2660004	CASE NUMBER 16-21-3229-013
LOCATION Urie St., Lake Winola, PA 18625	MUNICIPALITY Overfield Township	COUNTY Wyoming County
PERSON TO WHOM ORDER IS DIRECTED Winola Water Company, c/o Mr. Ralph Scartelli		TELEPHONE NUMBER 570-499-6063
MAILING ADDRESS 724 North Webster Avenue, Scranton, PA 18510		
NAME AND TITLE OF PERSON SERVED Mr. Ralph Scartelli, Owner of Winola Water Company		DATE ORDER SERVED 12/20/2016
<p>The Commonwealth of Pennsylvania, the Department of Environmental Protection ("Department"), has made the following Findings of Fact:</p> <ol style="list-style-type: none"> 1. The Department is the agency with authority to administer and enforce the Pennsylvania Safe Drinking Water Act, the Act of May 1, 1984, P.L. 206, No. 43, 35 P.S. §§721.1-721.19 ("SDWA"), and Section 1917-A of the Administrative Code, the Act of April 9, 1929, P.L. 177, as amended, 71 P.S. §510-17, and the regulations of the Environmental Quality Board adopted pursuant thereto. 2. The person named above to whom this order is directed ("Recipient") owns and/or operates a public water system at the location identified above. 3. The undersigned authorized representative of the Department conducted an inspection of the public water system identified above on <u>12/16/2016</u>. 4. The operation of this water system with the violation(s) identified in this Order is a violation of the Sections of the Department's regulations cited herein and the SDWA and constitutes a public nuisance under Section 12 of the SDWA, 35 P.S. §721.12. 5. Section 13 of the SDWA, 35 P.S. §721.13, provides that the Department may assess a civil penalty of up to Five Thousand Dollars (\$5,000.00) per day for each violation of the SDWA. 		
<p>Description of Violation:</p> <p>A2—Failure of key treatment processes A3—Failure to respond to an acute violation B2—Failure to provide minimum disinfectant residual B3—Failure to respond to a treatment technique violation C3—Failure to treat as permitted C4—Failure to operate and maintain the water system</p> <p>The water supplier incurred the above noted violations when the water supplier failed to respond when the sodium hypochlorite solution injection pump became air bound thus preventing the chlorine solution from being injected into the water system. This resulted in the failure to maintain the permitted minimum entry point chlorine residual necessary to ensure 4-log inactivation of viruses. The water supplier also failed to take the actions necessary to restore the entry point chlorine residuals to permitted levels within four (4) hours of discovery of the situation. The water supplier failed to take the actions necessary to protect public health when they failed to contact the Department within one (1) hour and failed to issue Tier 1 Public Notice to all affected customers within twenty four (24) hours of becoming aware of the emergency situation.</p> <p>B6 - This also constitutes a significant deficiency under the Groundwater Rule, as inadequate treatment could allow viable viruses in fecally contaminated water to enter the distribution system</p>		
<p>Location of Violation: Winola Water Company—Big Oaks Treatment Building—Urie St., Lake Winola, PA 18625</p>		
<p>Provisions of Regulation, Statute or Permit Violated: 25 PA Code, Sections 109.4, 109.408, 109.504(c), 109.703(a), 109.1302(a)(2), 109.1305(a)(2), 109.1307(a)(iii)</p>		



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

FIELD ORDER (continuation)

SYSTEM NAME Winola Water Company	PWS ID No. 2660004	CASE NUMBER 16-21-3229-013
<p>Description of Violation:</p> <p>A1—Failure to respond to an emergency A3—Failure to respond to an acute violation/situation C4—Failure to operate and maintain the water system</p> <p>The system failed to respond to an emergency and an acute violation/situation and failed to operate and maintain the water system when the system failed to perform the actions necessary to ensure that safe and potable water is continuously supplied to the users. This was evidenced by a dead rodent floating in the reservoir and by an accumulation of vermin feces around and on the top of the well casing for the Big Oaks well, which was missing a bolt to compress the seal in one of the holes. Vermin feces was also found on the top of chlorine solution day tank lid and its openings, all around the ground of the treatment building, and laying on the screening material around the outside of the finished water reservoir. There was also a dead animal on the floor of the Big Oaks treatment building. There continues to be openings in the screening material around the outside of the finished water reservoir. The metal screening is not of a small enough mesh size to prevent insect intrusion into the reservoir. These openings are allowing contamination into the reservoir and finished water contained therein as evidenced by the vermin feces, chewed up acorns and other material on the top of the reservoir insulation, and floating debris on top of the reservoir. The water supplier failed take the actions necessary to protect public health when they failed to contact the Department within one (1) hour and failed to issue Tier 1 Public Notice to all affected customers within twenty four (24) hours of becoming aware of the emergency situation.</p> <p>B6 – Significant Deficiency—The above violation also constitutes a “Significant Deficiency” under the Groundwater Rule, as the fecal material could be entering the well column and/or chlorine solution day tank and the openings to the reservoir are allowing the introduction of contamination into the water delivered to consumers as evidenced by the floating dead rodent.</p>		
<p>Location of Violation: Winola Water Company—Big Oaks Treatment Building and Reservoir—Urie St., Lake Winola, PA 18625</p>		
<p>Provisions of Regulation, Statute or Permit Violated: 25 PA Code, Sections 109.4, 109.408, 109.701(a)(3), and 109.1302(c)</p>		
<p>Description of Violation:</p>		
<p>Location of Violation:</p>		
<p>Provisions of Regulation, Statute or Permit Violated:</p>		



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

FIELD ORDER (continuation)

(PLEASE PRINT AND PRESS FIRMLY)

SYSTEM NAME Winola Water Company	PWS ID No. 2660004	CASE NUMBER 16-21-3229-013
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Pursuant to Sections 5, 10 and 12 of the SDWA, 35 P.S. §§721.5, 721.10 and 721.12; and Section 1917-A of the Administrative Code of 1929, 71 P.S. §510-17, it is hereby ordered that the owner shall perform the corrective actions listed below within the designated time.

Corrective Action/Abatement Schedule Required:

1. Within twenty four (24) hours of receipt of this order, the Supplier shall issue a revised Tier 1 Public Notification, in the form of a Boil Water Advisory, which includes information regarding the additional violations cited, to all customers in accordance with the provisions of 25 PA Code, section 109.408. Copies of the completed public notice, as well as the completed public notification certification form, must be submitted to Ms. Crystal Mickalowski, PADEP, 2 Public Square, Wilkes-Barre, PA 18701-1915, within ten (10) days of issuance.
2. Within twenty-four (24) hours of receipt of this order, the Supplier shall remove all fecal matter and dead animals from the treatment buildings and reservoir.
3. Within twenty-four (24) hours of receipt of this order, the Supplier shall take the actions necessary to initiate repair of the openings in the screening material around the outside of the finished water reservoir to prevent contamination to the finished water. Any contaminants or foreign materials encountered within the reservoir must be also be removed within twenty four (24) hours of receipt of this order. Within thirty (30) days of receipt of this order, the Supplier shall have completed the actions necessary to prevent future contamination to the finished water in the reservoir.
4. Within twenty-four (24) hours of receipt of this order, the Supplier shall empty the chlorine solution day tanks, clean the day tanks of any accumulated matter, ensure that the chlorine solution injection pumps are operating properly, and refill the day tanks with a chlorine solution of adequate strength to ensure the permitted entry point chlorine residual can be achieved.
5. Within forty eight (48) hours of receipt of this order, the Supplier shall ensure that a chlorine residual of at least 0.40 mg/l is present in the water entering the distribution system.
6. Within seven (7) days of receipt of this order, the Supplier shall repair the well seal for the Big Oaks well to ensure that a sanitary-seal is provided and a downward-facing screened air vent is provided.
7. Within thirty (30) days, the Supplier shall take the actions necessary to prevent vermin intrusion to the well houses/treatment buildings.

NOTICE OF APPEAL RIGHTS

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 AT 717-787-3483 FOR MORE INFORMATION.

The undersigned person hereby acknowledges receipt of this order and any attachment(s) hereto. This signature does not constitute an acknowledgement that any or all of the violations listed above have occurred or continue to occur.

Received by:

Time of Receipt:

2:09 pm

Department Representative (Name & Title - Please Print)
Gina Kellett - Sanitarian

Telephone Number: (570) 826-2411

Department Representative's Signature:

Exhibit C









888

1978

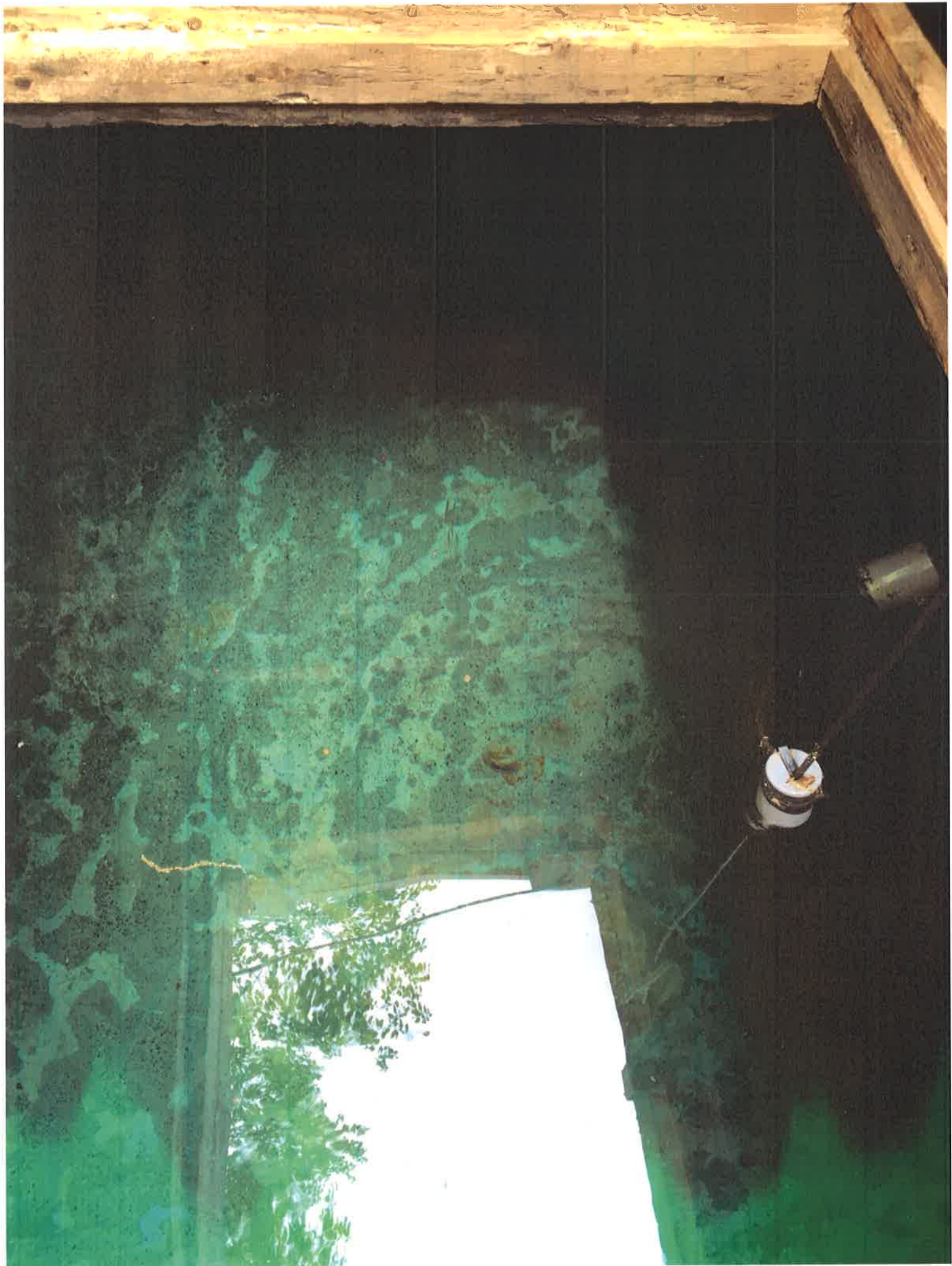


Exhibit D



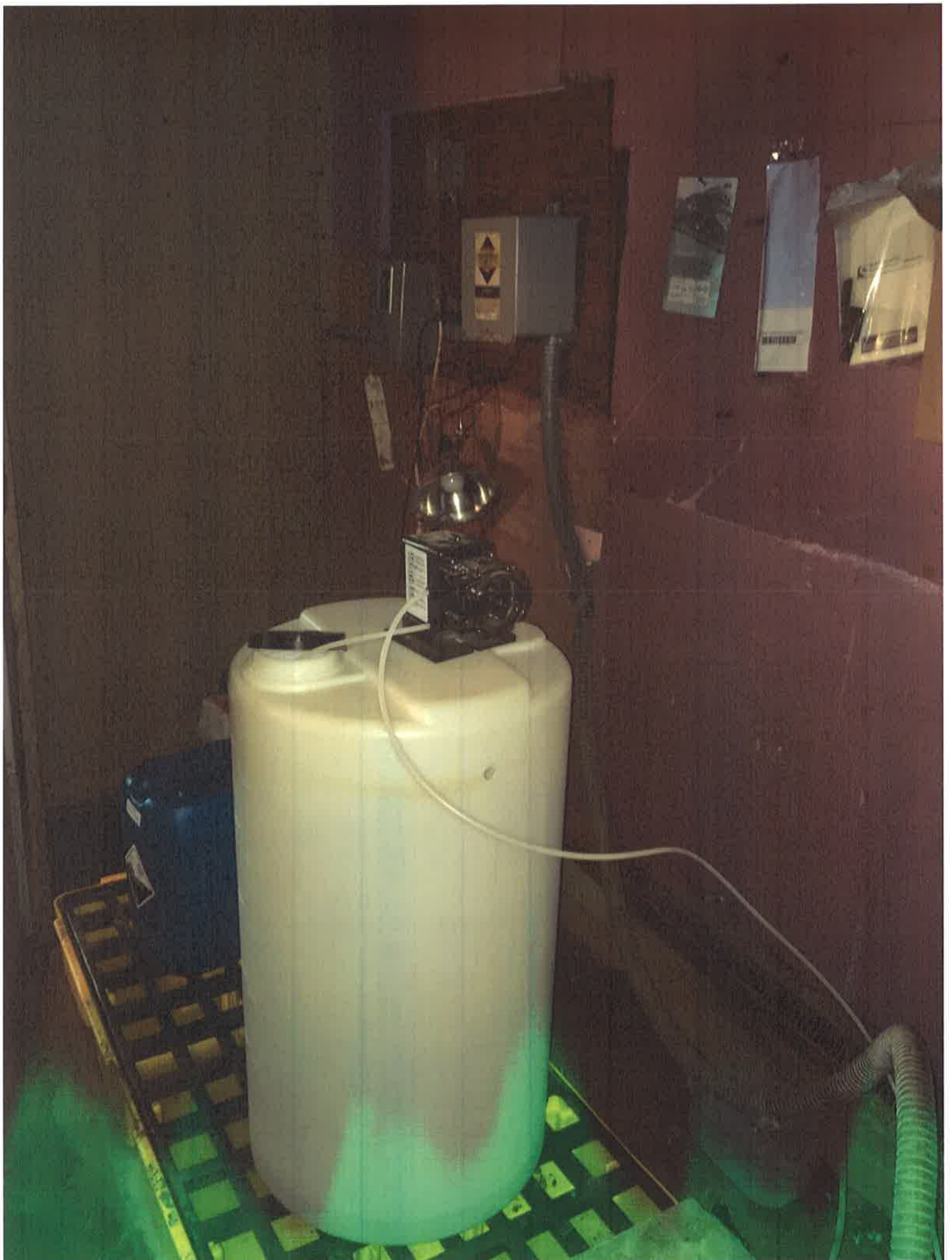






Exhibit E

WATER SUPPLY INSPECTION REPORT

FACILITY NAME Winola Water Company	PWS ID NO. 2660004	INSPECTION DATE 01-05-18
FACILITY LOCATION/ADDRESS Urle Ave., Lake Winola, PA 18625	COUNTY Wyoming	MUNICIPALITY Overfield Twp.
RESPONSIBLE OFFICIAL'S NAME Ralph Scartelli	TELEPHONE NO. 570-499-6063	
	SYSTEM TYPE COMM	POPULATION 130
CERTIFIED OPERATOR'S NAME Dan Farnham	FIELD ORDER NO. 18-21-3229-001	
	ISSUE DATE (MM/DD/YY) 01-05-18	

V I O L A T I O N S	Description	X	Description	X	eFACTS INFO	
		A1. Failure to respond to an emergency	X	C1. Failure to meet design/construction stds.		Insp. ID#: _____
	A2. Failure of key treatment processes		C2. Failure to conduct performance monitoring		Vid. ID#: _____	
	A3. Failure to respond to an acute violation		C3. Failure to treat as permitted		INSPECTION TYPE	
	B1. Failure to provide an adequate supply	X	C4. Failure to operate and maintain PWS		FULL	
	B2. Failure to provide min. disinfectant residual		C5. Failure to obtain certified operator		PARTIAL	
	B3. Failure to respond to PMCL/TT violation		C6. Improper interruption/repair		COMPLAINT	
	B4. Failure to comply with an Order		C7. Failure to comply with permit condition		FOLLOWUP	
	B5. Failure to obtain a permit		D1. Reports/Records/Maps			
	B6. Other significant deficiencies		E1. Other			

NARRATIVE Site visit on this date to inspect the system and issue Field Order 18-21-3229-001 after being informed that the water lines had frozen, the reservoir was empty, and the system had no water.

When the Department arrived onsite, Nick Stefano, a contractor working for Winola Water Company, was at the Big Oaks Treatment Building. Mr. Stefano had installed a new electric baseboard heater in the treatment building, after the old one had become inoperable. Mr. Stefano said he believed the pipes were frozen around the meter. He said he had used a blowtorch to attempt to thaw the pipes, but did not use it for too long since one part of the piping was plastic. Mr. Stefano stated that he was now waiting until the heater reached a certain point before leaving.

During the inspection, the well pump was running, but no water could flow through the frozen pipes. Mr. Stefano stated that the power to the Big Oaks Well could not be turned off without shutting the power off to the whole building, which would turn off the heat. He was informed that the system needed to carefully monitor the pump, as the continuous operation could cause it to burn out.

Although the well pump was still running, Mr. Stefano stated that he had turned off the chlorine injection pump.

Mr. Stefano did not have keys to the reservoir, so the inside was not observed during the inspection. The Department verified that the distribution system appeared to not be receiving water.

Violations:

A1 – The system failed to respond to an emergency by failing to contact the Department within one (1) hour of discovering that water system components were not operating properly, and the reservoir has been drained, resulting in a prolonged water outage.

B1 – The system failed to provide an adequate supply of water as evidenced by the fact that no water was being provided to the distribution system.

The system was placed on a Boil Water Advisory and Field Order 18-21-3229-001 was issued on this date. The corrective actions for the above cited violations are detailed in the Field Order.

WATER QUALITY SAMPLING POINT LOCATION	SAMPLE NUMBER	pH	CHLORINE		TURBIDITY	OTHER _____	COLLECTION TIME	SAC #
			F	T				

RECEIVED BY (PRINT NAME)	Gina Kellett INVESTIGATOR (PRINT NAME)  INVESTIGATOR (SIGNATURE AND DATE)	SUPV. INITIALS
RECEIVED BY (SIGNATURE AND DATE)	 INVESTIGATOR (SIGNATURE AND DATE)	PADWIS UPDATED

VIOLATION	REGULATION REFERENCE
Imminent Threat Violations	
A1. Failure to respond to an emergency situation (includes: waterborne disease outbreaks, waterborne emergencies, spills or prolonged water outages).	109.4, .408, .701(a)(3)
A2. Failure to provide or significant interruption in key water treatment processes (includes: disinfection, filtration or nitrate removal).	109.4(2), .202(c), .1203, .1302, .1307(a)(1)(ii)
A3. Failure to respond to an acute violation/situation (includes: reporting to DEP, public notification, investigation of cause and corrective measures for the following acute violations: TT violation of CFE max. allowable turbidity, TT violation for <i>Cryptosporidium</i> , breakdown in treatment for GW sources, MRDL exceedance of chlorine dioxide, MCL exceedance of nitrate/nitrite, MCL exceedance for total coliform w/ fecal coliforms or <i>E. coli</i> present, or finished water turbidity exceedance for unfiltered SW).	109.4, .408, .701(a)(3), .1307(a)(1)(ii)
Priority Violations	
B1. Failure to provide an adequate supply of water (includes: source, storage and distribution system inadequacies).	109.602, .603
B2. Failure to provide acceptable minimum disinfectant residual throughout the distribution system.	109.710
B3. Failure to respond to non-acute PMCL or treatment technique violation (includes: reporting to DEP, public notification, investigation of cause/corrective actions).	109.4, .202, .409, .701(a)(3), .1102(b)(1), .1203, .1302
B4. Failure to comply with an Order issued by the DEP.	Section 13(a) of Act 43 (SDWA)
B5. Failure to obtain a permit, innovative technology permit, major permit amendment, or emergency permit.	109.501-.507, .1105
B6. Other violations deemed to be significant deficiencies (M/R violations such as chronic failure to monitor, selective reporting, data recorder malfunctions; facility/administrative violations that are contributing to an imminent threat/priority violation or are chronic/persistent).	109.4, .301, .303, .701, .1303
Facility Violations	
C1. Failure to meet design and construction standards.	109.602-.609, .611-.612
C2. Failure to conduct performance monitoring or monitoring for accredited-by-rule parameters (such as fluoride, turbidity, residual disinfectant, WQPs, etc.) OR failure to use approved methods for accredited-by-rule parameters.	109.301, .301(7)(iii)(F), .304(c), .1103, .1305(a)
C3. Failure to provide level of treatment as designed and permitted, failure to filter to waste.	109.703
C4. Failure to operate and maintain the water system or implement O&M Plan.	109.4, .702
C5. Failure to obtain an operator with the appropriate certification.	109.4, .704
C6. Improper interruption and repairs, failure to disinfect facilities.	109.708, .711
C7. Failure to comply with a permit condition.	109.504(c)
Administrative Violations	
D1. Failure to maintain/submit: daily plant records, sample siting plan, water supplier complaint log, water supplier sanitary surveys, operation and maintenance plan, distribution map, emergency response plan or cross-connection control plan.	109.701, .702, .705, .706, .707, .709, .1107
E1. Violations of other Safe Drinking Water Regulations (examples: PMCL/MRD/TT, SMCL, unregulated contaminants, M/R, special monitoring)	109.202, .203, .301 or .302



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

FIELD ORDER

(PLEASE PRINT AND PRESS FIRMLY)

SYSTEM NAME Winola Water Company	PWS ID No. 2660004	CASE NUMBER 18-21-3229-001
LOCATION Urie Avenue, Lake Winola, PA 18625	MUNICIPALITY Overfield Township	COUNTY Wyoming
PERSON TO WHOM ORDER IS DIRECTED Winola Water Company, c/o Mr. Ralph Scartelli		TELEPHONE NUMBER 570-499-6063
MAILING ADDRESS 724 North Webster Avenue, Scranton, PA 18510		
NAME AND TITLE OF PERSON SERVED <i>Nick Stefano, Contractor</i>		DATE ORDER SERVED <i>1/5/18</i>
<p>The Commonwealth of Pennsylvania, the Department of Environmental Protection ("Department"), has made the following Findings of Fact:</p> <ol style="list-style-type: none"> 1. The Department is the agency with authority to administer and enforce the Pennsylvania Safe Drinking Water Act, the Act of May 1, 1984, P.L. 206, No. 43, 35 P.S. §§721.1-721.19 ("SDWA"), and Section 1917-A of the Administrative Code, the Act of April 9, 1929, P.L. 177, as amended, 71 P.S. §510-17, and the regulations of the Environmental Quality Board adopted pursuant thereto. 2. The person named above to whom this order is directed ("Recipient") owns and/or operates a public water system at the location identified above. 3. The undersigned authorized representative of the Department conducted an inspection of the public water system identified above on <u>January 5, 2018</u>. 4. The operation of this water system with the violation(s) identified in this Order is a violation of the Sections of the Department's regulations cited herein and the SDWA and constitutes a public nuisance under Section 12 of the SDWA, 35 P.S. §721.12. 5. Section 13 of the SDWA, 35 P.S. §721.13, provides that the Department may assess a civil penalty of up to Five Thousand Dollars (\$5,000.00) per day for each violation of the SDWA. 		
<p>Description of Violation:</p> <p>A1 – Failure to respond to an emergency – The system failed to respond to an emergency by failing to contact the Department within 1 hour of discovering that water system components were not operating properly and the reservoir had been drained resulting in a prolonged water outage.</p>		
<p>Location of Violation:</p> <p>Winola Water Company—Blg Oaks Treatment Building—Urie Avenue, Lake Winola, PA 18625</p>		
<p>Provisions of Regulation, Statute or Permit Violated:</p> <p>25 PA Code, Sections 109.4, 109.408(10), and 109.701(a)(3)</p>		



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

FIELD ORDER (continuation)

(PLEASE PRINT AND PRESS FIRMLY)

SYSTEM NAME Winola Water Company	PWS ID No. 2660004	CASE NUMBER 18-21-3229-001
Description of Violation: B1 – Failure to provide an adequate supply – The system failed to provide an adequate supply of water as evidenced by the fact that no water was being provided to the distribution system.		
Location of Violation: Winola Water Company—Distribution system—Lake Winola, PA 18625		
Provisions of Regulation, Statute or Permit Violated: 25 PA Code, Sections 109.4, 109.602, and 109.603		
Description of Violation:		
Location of Violation:		
Provisions of Regulation, Statute or Permit Violated:		



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

FIELD ORDER (continuation)

(PLEASE PRINT AND PRESS FIRMLY)

SYSTEM NAME Winola Water Company	PWS ID No. 2660004	CASE NUMBER 18-21-3229-001
-------------------------------------	-----------------------	-------------------------------

Pursuant to Sections 5, 10 and 12 of the SDWA, 35 P.S. §§721.5, 721.10 and 721.12; and Section 1917-A of the Administrative Code of 1929, 71 P.S. §510-17, it is hereby ordered that the owner shall perform the corrective actions listed below within the designated time.

Corrective Action/Abatement Schedule Required:

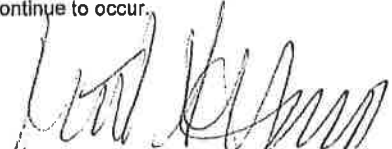

1. As soon as possible, but within twenty-four (24) hours of receipt of this order, supplier shall issue Tier 1 Public Notification in the form of a boil water advisory to all affected customers, in accordance with the provisions of 25 PA Code, section 109.408. Copies of the completed public notice, as well as the completed public notification certification form, must be submitted to Ms. Crystal Mickalowski, PADEP, 2 Public Square, Wilkes-Barre, PA 18701-1915, within ten (10) days of issuance.
2. Within one (1) hour of receipt of this order, the supplier shall initiate repairs to the water system in order to restore water service to the customers.
3. Within forty-eight (48) hours, the supplier shall complete the repairs necessary to restore water service to the customers. If it is determined that the restoration of the water service will take more than 12 hours from receipt of this Order, the water supplier shall provide an alternate source of water to all affected customers and continue to do so until water service is restored.
4. Upon restoration of water service, the water system shall be flushed until a detectable free chlorine residual, as measured by a digital colorimeter, is measured throughout the distribution system. Documentation of the free chlorine residuals are required to be provided to the Department.
5. Within twenty-four (24) hours of completing the Corrective Actions above, the supplier shall begin the collection of daily coliform bacteria samples from the distribution system. Sample collection must continue on a daily basis until such time when the results demonstrate no coliform bacteria colonies are present on two consecutive days and the Department approves the lifting of the boil water advisory.
6. Following notification from the Department of the approval of the lifting of the Boil Water Advisory, the supplier shall issue a Tier 1 Problem Corrected Notice to all affected customers. Copies of the completed public notice, as well as the completed public notification certification form, must be submitted to Ms. Crystal Mickalowski, Sanitarian Supervisor, PADEP, 2 Public Square, Wilkes-Barre, PA 18701-1915, within ten (10) days of issuance.

NOTICE OF APPEAL RIGHTS

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 AT 717-787-3483 FOR MORE INFORMATION.

The undersigned person hereby acknowledges receipt of this order and any attachment(s) hereto. This signature does not constitute an acknowledgement that any or all of the violations listed above have occurred or continue to occur. Received by: 	Department Representative (Name & Title – Please Print) Gina Kellett, Sanitarian
	Telephone Number: (570) 826-2411 Department Representative's Signature: 

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement,	:	
	:	
Complainant	:	Docket No. C-2018-
	:	
v.	:	
	:	
Winola Water Company,	:	
	:	
Respondent	:	

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document, upon the parties, listed below, in accordance with the requirements of 52 Pa. Code §1.54 (relating to service by a party).

Service by First Class Mail:

Ralph Scartelli
Winola Water Company
724 N Webster Ave
Scanton, PA 18510



Bradley R. Gorter
Prosecutor
PA Attorney ID No. 312666
Bureau of Investigation and Enforcement

Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265
Phone: 717-783-6150

Dated: January 26, 2018