

**Application of Pennsylvania-American Water Company for Acquisition of  
the Wastewater Assets of the Borough of Brentwood**

**66 Pa. C.S. § 1329**

**Application Filing Checklist – Water/Wastewater**

**Docket No. A-2021-3024058**

20. Proof of Compliance. Provide proof of compliance with applicable design, construction and operation standards of DEP or of the county health department, or both, including:
- e. Provide documentation evidencing a 5-year compliance history with DEP with an explanation of each violation for the seller's utilities that have been providing service as well as provide a copy of any DEP-approved corrective action plans.

**RESPONSE:**

- e. See letter of Daniel S. Deiseroth, P.E., Project Manager, Gateway Engineers, regarding Brentwood's 5-year compliance history with DEP, at **Appendix A-20-e**.



A FULL-SERVICE CIVIL ENGINEERING FIRM

THE GATEWAY ENGINEERS, INC.

100 MCMORRIS ROAD.  
PITTSBURGH, PA 15205

412-921-4030 PHONE  
412-921-9960 FAX

www.gatewayengineers.com

March 29, 2023

C-41166-0003

Pennsylvania American Water Company  
852 Wesley Drive  
Mechanicsburg, PA 17055

Attn: Michael Salvo, Senior Manager, Business Development

RE: Brentwood Borough, PA Sanitary Sewer System DEP Compliance

Dear Mr. Salvo;

Brentwood Borough ("Authority") has had a strong track record of compliance with the applicable design, construction and operations standards of DEP which are administered in Allegheny County by the Allegheny County Health Department (ACHD). In the past five years, the Borough has received one notice of Violation from the ACHD.

On July 26, 2018, the Borough received a Notice of Violation for sewage backup in a for homes at 117/119 Kaplan Way. The Borough in the same letter was notified of sanitary sewer overflow (SSO) in the manhole in the Angle Way which was identified as the reason for the back-up.

Brentwood Borough responded to the Heath Department on 8-9-18 and 9-7-19 with steps to correct the matters including installing a backflow preventer and investigation of the SSO which indicated the sewer was operational. Brentwood also continues to complete work under an administrative consent order to eliminate Inflow and Infiltration that contributed to the SSO.

Correspondence regarding the matter is attached.

If you should have any questions, please call.

Sincerely,  
THE GATEWAY ENGINEERS, INC.

A handwritten signature in blue ink, appearing to read "Daniel S. Deiseroth".

Daniel S. Deiseroth, P.E.  
Project Manager

Attachment

cc: George Zboyovsky, Manager, Brentwood Borough

COUNTY OF



ALLEGHENY

RICH FITZGERALD  
COUNTY EXECUTIVE

July 26, 2018

Brentwood Borough  
3624 Brownsville Road  
Brentwood, PA 15227

Attention: Harold Smith, President of Council  
George Zboyovsky, Manager

**RE: SEWERAGE  
BASEMENT BACKUPS / SANITARY SEWER OVERFLOW  
117 & 119 KAPLAN AVENUE / ANGLE WAY  
BRENTWOOD BOROUGH**

Dear Officials:

This Department's Water Pollution Control & Solid Waste Management (WPC/SWM) Program has received a citizens' complaint concerning the discharge of sewage from manholes along Kaplan Avenue, Brightside Way, and Angle Way during significant rain events. On July 20, 2018, Brian Buttacavoli (WPC) and Sean Halerz (Plumbing) of this Department, met with Brentwood Public Works Department head Vitali Alexandrov, and superintendent Robert Mackewich, at 117/119 Kaplan Avenue to discuss Sanitary Sewer Overflows (SSOs) that occur in this area. The inspection revealed evidence of a SSO in the Angle Way line which is causing sewage to backup into the basements of 117 & 119 Kaplan Avenue.

The Borough is advised that in instances where sewage backs up from a municipal sewer into a residence or other occupied structure, the Department, pursuant to its authority under Act 315, holds the Borough responsible for abating the resultant health hazard by pumping out the basement and then having it cleaned and disinfected. Due to the potential health hazards associated with sewage discharges into homes, cleanup and disinfection procedures should be initiated immediately after the sewage discharge has occurred.

Please be advised that these discharges of sewage constitute violations of the Pennsylvania Clean Streams Law, Act 394 of 1937, P.L. 1987, Sections 201, 202, and 203, as amended; and of the Allegheny County Health Department Rules and Regulations, Article XIV, "Sewage Management", Section 1404.



KAREN HACKER, MD, MPH, DIRECTOR  
ALLEGHENY COUNTY HEALTH DEPARTMENT

WATER POLLUTION CONTROL & SOLID WASTE MANAGEMENT  
3901 PENN AVENUE • BUILDING 5 • PITTSBURGH, PA 15224-1318  
PHONE: 412.578.8022 • FAX: 412.578.8053 • WWW.ACHD.NET



Brentwood Borough  
RE: Sanitary Sewer Overflows  
July 26, 2018  
Page 2

These discharges also constitute a health hazard as determined by this Department. Under the authority vested in this Department by Section 12 of the Local Health Administration Law, Act 315 of 1951, P.L. 1304, the Borough is hereby **ORDERED** to:

1. Within fourteen (14) days of receipt of this notice, submit to this Department a plan and schedule for providing interim protection from sewage backups for the above affected residences. This can include, but not limited to, a backflow prevention valve, grinder pump, holding tank, or other method as approved by your consultant(s).
2. Within fourteen (14) days provide to this office in writing confirmation that the sewer line downstream of the affected area is not impacted by restrictions from damage to the line, sediment deposits, grease accumulations, root growth, or other impasse.

Pursuant to Article XI entitled "Hearings and Appeals", you are hereby notified that you have ten (10) days in which to file an appeal from the date of this Order. The notice of appeal shall be filed in the Office of the Director, 542 Fourth Avenue, Pittsburgh, PA 15219. In the event that an appeal is not filed within ten (10) days from the date of this Order, the within action shall become final.

If you have any questions, please contact Brian Buttacavoli, Environmental Health Specialist 2, of this office at 412-578-8381.

Sincerely,



Michael J. Moskorisin, Program Manager  
Water Pollution Control & Solid Waste Management

MJM/BRB/ge

cc: Stacey Greenwald, PA DEP Clean Water Program  
William Danylo, 117 Kaplan Avenue



**THE BOROUGH OF BRENTWOOD**  
MUNICIPAL BUILDING – 3624 BROWNSVILLE ROAD  
PITTSBURGH, PA 15227-3199  
Office 412-884-1500 – FAX 412-884-1911  
[www.brentwoodboro.com](http://www.brentwoodboro.com)

August 9, 2018

Michael J. Moskorisin, Program Manager  
Allegheny County Health Department  
Water Pollution Control & Solid Waste Management Division  
3901 Penn Avenue, Building 5  
Pittsburgh, PA 15224

***RE: SANITARY SEWER BASEMENT BACKUPS ON KAPLAN AVENUE  
RESPONSE TO ADMINISTRATIVE CORRECTIVE ORDERS***

Dear Mr. Moskorisin:

The Borough of Brentwood (“Borough”) is in receipt of your July 26, 2018 letter regarding sanitary sewer basement backup incidents at the structures located at 117 and 119 Kaplan Avenue in the Borough. The letter directs the Borough to take two corrective measures and to provide a written response to the Allegheny County Health Department. On August 6, 2018, a Notice of Appeal was filed on behalf of the Borough with respect to the determination of the Department in this matter. Without waiving its rights pursuant to said appeal, please find below the Borough’s responses:

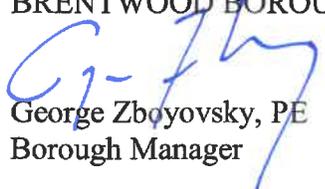
- 1) Since receiving a May 17, 2018 inquiry from the owner of 117 Kaplan Avenue, the Borough has worked in good faith to enroll Mr. William Danylo in the Borough’s Backflow Prevention Program, which is codified as Chapter 167, Section VI of the Brentwood Borough Code. On July 9, 2018, the Borough similarly informed Ms. Patricia Rocco of 119 Kaplan Avenue of the availability of said program. However, in accordance with the expedited timeline outlined in the enforcement notice, the Borough, without admission of liability, shall assume responsibility for coordinating the installation of a backflow prevention device to provide protection from sewage backups for the affected residences. On August 9, 2018, the Borough contacted three licensed master plumbers. Upon the receipt of written quotes, Brentwood shall, subject to review of the proposed scope of work by The Gateway Engineers, engage the services of the low bidder to install said device. It is expected that all necessary improvements shall be completed by August 31, 2018.
- 2) The Borough’s Department of Public Works preformed a visual inspection of the municipal main sewer traversing Angle Way at the manhole located directly downstream from 117 Kaplan Avenue. No obstructions or major defects were sighted. As part of the

terms of its Sanitary Sewer Operations & Maintenance Plan, the Borough annually performs CCTV inspections. Brentwood will utilize its contracted vendor to perform a more thorough review of conditions within this infrastructure.

If you have any further questions, do not hesitate to contact me.

Sincerely,

BRENTWOOD BOROUGH



George Zboyovsky, PE  
Borough Manager

CC: Office of the Director, Allegheny County Health Department, 542 4<sup>th</sup> Avenue, Pittsburgh PA 15219 (via hand delivery)

COUNTY OF



ALLEGHENY

RICH FITZGERALD  
COUNTY EXECUTIVE

July 27, 2018

Brentwood Borough  
3624 Brownsville Road  
Brentwood, PA 15227

Attention: Harold Smith, President of Council  
George Zboyovsky, Manager

**RE: SEWERAGE  
SANITARY SEWER OVERFLOWS  
SAW MILL RUN ROAD/GREENLEE AVENUE  
BRENTWOOD BOROUGH**

Dear Officials:

This Department's Water Pollution Control and Solid Waste Management (WPC/SWM) Program has received a citizens' complaint concerning the discharge of sewage from manholes along Saw Mill Run Boulevard and Greenlee Avenue during significant rain events. On March 6, 2018, Dustie Specht and Brian Buttacavoli of this Department, met with Public Works Supervisor, Robert Mackewich at Saw Mill Run and Greenlee Avenue to discuss Sanitary Sewer Overflows (SSOs) that occur in this area. Brentwood Borough is required to report SSOs that may occur within the system according to the requirements of PA Code Chapters 92A.41 and 91.33. A SSO reporting form has already been provided to the Public Works Department for their use.

Please be advised that these discharges of sewage constitute violations of the Pennsylvania Clean Streams Law, Act 394 of 1937, P.L. 1987, Sections 201, 202, and 203, as amended; and of the Allegheny County Health Department Rules and Regulations, Article XIV, "Sewage Management", Section 1404.2.

These discharges also constitute a health hazard as determined by this Department. Under the authority vested in this Department by Section 12 of the Local Health Administration Law, Act 315 of 1951, P.L. 1304, the Borough is hereby **ORDERED** to submit to this Department in writing, within Thirty (30) days of receipt of this notice, a plan and schedule for eliminating the above- referenced overflows.



KAREN HACKER, MD, MPH, DIRECTOR  
ALLEGHENY COUNTY HEALTH DEPARTMENT

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Brentwood Borough  
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If you have any questions, please contact Mike Scheer, Administrator II, of this office at 412-578-8388.

Sincerely,



Michael J. Moskorisin, Program Manager  
Water Pollution Control & Solid Waste Management

DRS/ge

cc: PA DEP, Clean Water Program  
Stacey Greenwald, PA DEP Clean Water Program  
Lisa Talarico



**THE BOROUGH OF BRENTWOOD**  
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[www.brentwoodboro.com](http://www.brentwoodboro.com)

September 7, 2018

Michael J. Moskorisin, Program Manager  
Allegheny County Health Department  
Water Pollution Control & Solid Waste Management Division  
3901 Penn Avenue, Building 5  
Pittsburgh, PA 15224

***RE: SANITARY SEWER OVERFLOWS AT SAW MILL RUN BLVD & GREENLEE ROAD  
RESPONSE TO ADMINISTRATIVE CORRECTIVE ORDERS***

Dear Mr. Moskorisin:

The Borough of Brentwood (“Borough”) is in receipt of your July 26, 2018 letter regarding sanitary sewer system overflows at the manhole located near the intersection of Saw Mill Run Boulevard and Greenlee Road. The letter directs the Borough to take corrective action and to provide a written response to the Allegheny County Health Department (“ACHD”). On August 6, 2018, a Notice of Appeal was filed on behalf of the Borough with respect to the determination of ACHD in this matter. Without waiving its rights pursuant to said appeal, please find below the Borough’s responses:

- 1) The Borough continues to diligently adhere with the terms of the Administrative Consent Order signed with the ACHD, which was most recently amended on February 18, 2016. Through a comprehensive CCTV inspection schedule, the Borough works to identify those defects that allow the greatest quantity of inflow & infiltration (“I&I”) into the sanitary sewer system. This information is subsequently used to plan improvement projects, which include sewer line spot repairs, manhole upgrades, and the installation of manhole-to-manhole liners. Over the past five years alone, the Borough has invested more than \$3 million into sanitary sewer system enhancements. Additionally, in recognition that upwards of 50% of all I&I is the result of defects in privately owned laterals, the Borough mandates a CCTV inspection of said lines as a condition of conveyance of any property.
- 2) In order to specifically address capacity issues with the regional trunk line that is located within the Saw Mill Run Boulevard right-of-way, in 2017, the Borough invested \$160,000 into a sewer that traverses a paper street known as Viking Way. This line,

which connects to the trunk line approximately 1,500 feet upstream from the location of the reported overflow, was severely compromised and was identified as an aggravating factor in such incidents. The installation of a manhole-to-manhole sewer liner has removed significant quantities of I&I from the trunk sewer. The Allegheny County Sanitary Authority has recognized the impacts of this project by partially offsetting its cost through the provision of a Green Revitalization of Our Waterways (GROW) grant. The Borough will direct future funds to similarly impactful projects; however, a comprehensive solution to overflows within this corridor is only possible through a coordinated regional effort.

3) Brentwood Borough, in cooperation with the downstream community of Whitehall Borough, has performed flow monitoring to quantify flows in this area and has subsequently developed a hydraulic model of this area to identify the capacity restrictions that cause and or contribute to the sanitary overflows in this area. In a joint effort, the communities are looking into potential solutions to the overflow issues and evaluating the feasibility of these options from both a construction and cost perspective to determine the best solution to resolve these issues.

If you have any further questions, do not hesitate to contact me.

Sincerely,

BRENTWOOD BOROUGH



George Zboyovsky, PE  
Borough Manager

CC: Office of the Director, Allegheny County Health Department, 542 4<sup>th</sup> Avenue, Pittsburgh  
PA 15219

BCC:

J. Slagle, The Gateway Engineers

V. Alexandrov, Public Works Director

Council & Mayor

Solicitor



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August 9, 2018

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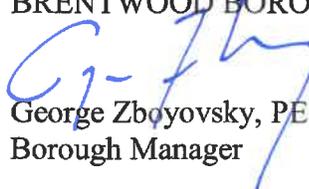
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