



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
COMMONWEALTH KEYSTONE BUILDING
400 NORTH STREET, HARRISBURG, PA 17120

BUREAU OF
INVESTIGATION
&
ENFORCEMENT

February 15, 2024

Via Electronic Filing

Secretary Rosemary Chiavetta
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

Re: Venango Water Company – Ex Parte Emergency Order Naming Aqua
Pennsylvania, Inc. as Receiver
Docket No. M-2023-3042180

Section 529 Investigation of Venango Water Company
Docket No. I-2023-3042312

I&E Petition to Request the Commission Open a Section 529 Investigation
into the Acquisition of Several Small Water and Sewer Utilities Owned by the
Blaine Edwin Rhodes Estate
Docket No. P-2024-3045205

I&E Petition for Consolidation

Dear Secretary Chiavetta:

Enclosed for electronic filing please find the Petition for Consolidation of the Bureau
of Investigation and Enforcement for the above-captioned proceeding.

Copies are being served on all parties per the attached Certificate of Service. Should
you have any questions, please do not hesitate to contact me.

Respectfully,

Carrie B. Wright
Senior Prosecutor
Bureau of Investigation and Enforcement
PA Attorney ID No. 208185
(717) 783-6156
carwright@pa.gov

Enclosures

cc: Office of Special Assistants (*via email* – ra-osa@pa.gov)
David Screven, Esq. Chief Counsel PUC Law Bureau (*via email* – dscreven@pa.gov)
Deputy Chief Administrative Law Judge Mark A Hoyer (*via email* – mhoyer@pa.gov)
Per Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Venango Water Company – Ex Parte :
Emergency Order Naming Aqua : Docket No. M-2023-3042180
Pennsylvania, Inc. as Receiver :

Section 529 Investigation of Venango : Docket No. I-2023-3042312
Water Company :

I&E Petition to Request the Commission :
Open a Section 529 Investigation into :
the Acquisition of Several Small Water : Docket No. P-2024-3045205
and Sewer Utilities Owned by the Blaine :
Edwin Rhodes Estate :

**PETITION FOR CONSOLIDATION OF THE
BUREAU OF INVESTIGATION AND ENFORCEMENT**

On August 11, 2023, an Ex-Parte Emergency Order was issued which instituted an investigation into whether the Pennsylvania Public Utility Commission (PUC or Commission) should order a capable public utility to acquire the Venango Water Company (VWC) and directed Aqua Pennsylvania, Inc. (Aqua) to act as Receiver of VWC.¹ In addition, on January 3, 2024, the Bureau of Investigation and Enforcement (I&E) filed a Petition requesting that the Commission initiate an investigation under Section 529 of the Public Utility Code, to determine whether the Commission should order a capable public utility to acquire any or all of the family of small water and

¹ *Venango Water Co. – Ex Parte Emergency Order Naming Aqua Pa., Inc. as Receiver*, Docket No. M-2023-3042180 (Order Entered August 11, 2023).

wastewater utilities (the Rhodes Utilities) owned by the Blaine Edwin Rhodes Estate (Rhodes Estate).

The Bureau of Investigation and Enforcement files this Petition pursuant to 52 Pa. Code §§ 5.41 and 5.81 and respectfully requests that the Commission formally consolidate the above referenced dockets into a single proceeding.

I. BACKGROUND

1. Prior to passing away on March 19, 2020, Blaine Edwin Rhodes was the owner of the several public utilities that now make up the Rhodes Utilities. Mr. Rhodes had inherited all of the Rhodes Utilities from his father, Boyd Park Rhodes,² except for the West Hickory Water Company which he purchased from private owners.³ The Rhodes Estate owns and operates the following utilities:

- A. Sugarcreek Water Company, Utility Code 212920;
- B. West Hickory Water Company, Utility Code 213410;
- C. Plumer Water Company, Utility Code 212400;
- D. Fryburg Water Company, Utility Code 211020;
- E. Cooperstown Water Company, Utility Code 210600;
- F. Blaine E. Rhodes Sewer Company, Utility Code 230031; and
- G. Venango Water Company, Utility Code 213110.

² Boyd Park Rhodes died testate on September 17, 1988, and, through several applications with the Commission, transferred all of his ownership interests in Sugarcreek Water, Plumer Water, Fryburg Water, Cooperstown Water, and Boyd Rhodes Sewer utility companies to Blaine Rhodes. *See* Docket Nos. A-213110F5001; A-212920F5001; A-212400F5001; A-211020F5001; A-210600F5001; and A-230031.

³ On or about September 2, 1983, Blaine Rhodes filed an application to transfer the interests in West Hickory Water from Basil and Irene Laubach to Blaine Rhodes. *See* Docket No. A-0009645F0002.

2. The Venango Water Company was recently the subject of the August 11, 2023, Ex-Parte Emergency Order issued by the Commission at Docket No. M-2023-3042180.

3. In its Emergency Order, the Commission noted, among other concerns, that it had received notice that the Pennsylvania Department of Environmental Protection (DEP) required Venango to issue a “Do Not Consume” advisory for the Venango system due to possible contamination of a Venango water source.⁴

4. During the administrative process and after the Ex-Parte Emergency Order was issued, the Commission, through its Bureau of Technical Utility Services (TUS), was made aware that Randall and Kevin Rhodes (the Rhodes Brothers), the current certified operators of the Rhodes Utilities, desire to end their services as certified operators as of December 31, 2023. The Rhodes Brothers are providing their services under a verbal agreement, there is no written agreement.

5. As part of the Commission's August 11, 2023, Ex-Parte Emergency Order, Aqua was appointed as receiver of VWC and a Section 529 Investigation was instituted.

6. Upon learning that the Rhodes Brothers desired to end their service as certified operators of the Rhodes Utilities, on January 3, 2024, I&E filed a Petition (Section 529 Petition) requesting the Commission institute a Section 529 Investigation for all water and wastewater utilities owned by the Rhodes Estate with the exception of

⁴ Ex-Parte Emergency Order, Docket No. M-2023-3042180, p. 1.

Venango as it was already subject to a Section 529 investigation as a result of the Commission's Ex-Parte Emergency Order.

7. I&E's Section 529 Petition was Docketed at P-2024-3045205 and is attached as Appendix A to this Petition.

8. To date, no action has been taken on the Section 529 Petition.

9. I&E now seeks consolidation of the above-captioned Dockets so that the investigation can be considered in a single proceeding.

II. LEGAL STANDARDS FOR GRANTING A PETITION FOR CONSOLIDATION

10. The Commission has jurisdiction over this matter pursuant to Section 501 of the Public Utility Code⁵ which authorizes and obligates the Commission to execute and enforce the provisions of the Public Utility Code.

11. Section 5.41 of the Pennsylvania Code⁶ allows a party to seek relief under the Public Utility Code by petition.

12. 52 Pa. Code § 5.81 provides:

The Commission or presiding officer, with or without motion may order proceedings involving a common question of law or fact to be consolidated. The Commission or presiding officer may make orders concerning the conduct of the proceedings and may avoid unnecessary costs or delays.⁷

⁵ 66 Pa.C.S. § 501.

⁶ 52 Pa. Code § 5.41.

⁷ 52 Pa. Code § 5.81(a).

13. The Commission or presiding officer must consider whether there is a common question of law or fact when considering whether consolidation is appropriate.

In addition, the Commission or presiding officer must consider the following questions:

- Will the presence of additional issues cloud a determination of the common issues?
- Will consolidation result in reduced costs of litigation and decision-making for the parties and the Commission?
- Do issues in one proceeding go to the heart of an issue in the other proceeding?
- Will consolidation unduly protract the hearing, or produce a disorderly and unwieldy record?
- Will different statutory and legal issues be involved?
- Does the party with the burden of proof differ in the proceedings?
- Will consolidation unduly delay the resolution of one of the proceedings?
- Will supporting data in both proceedings be repetitive?⁸

14. No single consideration or group thereof is dispositive of consolidation. The evaluation consists of a balancing of the issues favoring and disfavoring consolidation.⁹

III. ARGUMENT

15. As explained above, the Rhodes Estate owns and operates 7 utilities, all of which are subject to Section 529 investigations.

16. The common ownership of 7 utilities makes consolidation appropriate in this proceeding.

⁸ *Pa. Pub. Util. Comm'n v. City of Lancaster*, Docket No. R-2012-2310366, pp. 3-4 (Second Prehearing Order issued Nov. 26, 2012).

⁹ *Id.*

17. Formal consolidation is in the interest of all parties and is in the public interest. Consolidation will promote efficiency and conserve administrative resources without delaying the resolution of proceedings at either docket. Consolidation avoids the need for parties to submit overlapping and redundant testimony and briefs in two proceedings and avoids the need for the Commission to issue separate decisions to resolve common issues of fact and laws in interrelated cases for the utilities, all of which fall under the same ownership.

18. Failure to grant consolidation would impose unnecessary costs on all parties and the Commission by litigating issues that largely remain the same under separate dockets, which is clearly not in the public interest.

19. The heart of the matter to be resolved in either docket is whether a capable public utility should be appointed to take ownership of all the above-listed water and wastewater utilities. There is common ownership of all utilities in question and the parties to each proceeding are likely to be the same.

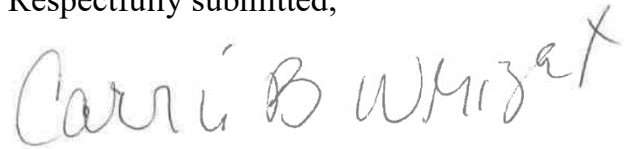
20. The legal issues to be resolved in each proceeding are largely the same and I&E remains the party with the burden of proof in each docket.

21. As there is no prescribed timeframe under which the Commission must decide a Section 529 proceeding, consolidation will not unduly delay the resolution of either of these proceedings.

22. The balancing test demonstrates that consolidation would generally be warranted in this instance.

WHEREFORE, the Bureau of Investigation and Enforcement respectfully requests that the Commission grant this Petition for Consolidation and formally consolidate the above referenced dockets into a single proceeding.

Respectfully submitted,

A handwritten signature in cursive script that reads "Carrie B. Wright".

Carrie B. Wright
Senior Prosecutor
PA Attorney ID No. 208185

Scott B. Granger
Senior Prosecutor
PA Attorney ID No. 63641

Michael A. Podskoch, Jr.
Prosecutor
PA Attorney ID No. 330132

Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120
(717) 783-6156

Dated: February 15, 2024

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Venango Water Company – Ex Parte :
Emergency Order Naming Aqua : Docket No. M-2023-3042180
Pennsylvania, Inc. as Receiver :


Section 529 Investigation of Venango : Docket No. I-2023-3042312
Water Company :

I&E Petition to Request the Commission :
Open a Section 529 Investigation into :
the Acquisition of Several Small Water : Docket No. P-2024-3045205
and Sewer Utilities Owned by the Blaine :
Edwin Rhodes Estate :

VERIFICATION

I, Carrie B. Wright, Senior Prosecutor, hereby state that the facts set forth in the foregoing document, Petition for Consolidation, are true and correct to the best of my knowledge, information, and belief and that I expect to be able to prove the same at a 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: February 15, 2024



Carrie B. Wright
Senior Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

Appendix A



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
COMMONWEALTH KEYSTONE BUILDING
400 NORTH STREET, HARRISBURG, PA 17120

Appendix A
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BUREAU OF
INVESTIGATION
&
ENFORCEMENT

January 3, 2024

Via Electronic Filing

Secretary Rosemary Chiavetta
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

Re: Pennsylvania Public Utility Commission,
Bureau of Investigation and Enforcement v.
The Blaine Edwin Rhodes Estate
Docket Nos. P-2023-
I-2023-

**I&E Petition to Request the Commission Open a Section 529
Investigation into the Acquisition of Several Small Water and Sewer
Utilities Owned by the Blaine Edwin Rhodes Estate**

Dear Secretary Chiavetta:

Enclosed for electronic filing please find the Bureau of Investigation & Enforcement's (I&E) **Petition to Request the Commission Open a Section 529 Investigation into the Acquisition of Several Small Water and Sewer Utilities Owned by the Blaine Edwin Rhodes Estate** for the above-captioned proceeding.

Copies are being served on all interested parties per the attached Certificate of Service. Should you have any questions, please do not hesitate to contact me.

Respectfully,

Scott B. Granger
Prosecutor
Bureau of Investigation and Enforcement
PA Attorney ID No. 63641
(717) 425-7593
sgranger@pa.gov

SBG/jfm
Enclosures

cc: Per Certificate of Service
Office of Special Assistants (*via email* ra-osa@pa.gov)
David Screven, Esq., Chief Counsel PUC Law Bureau (*via email* dscreven@pa.gov)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement,	:	
Petitioner	:	
	:	
v.	:	Docket No. P-2023-
	:	I-2023-
The Blaine Edwin Rhodes Estate	:	
Respondent	:	

**PETITION TO REQUEST THE COMMISSION
OPEN A SECTION 529 INVESTIGATION
INTO THE ACQUISITION OF
SEVERAL SMALL WATER AND SEWER UTILITIES
OWNED BY THE BLAINE EDWIN RHODES ESTATE**

AND NOW, comes the Pennsylvania Public Utility Commission (“Commission” or “PUC”), by and through its Bureau of Investigation and Enforcement (“I&E”), pursuant to Chapter 52, Sections 5.1 and 5.41 of the Pennsylvania Code,¹ and petitions the Commission for the opening of a Section 529² investigation into whether the Commission should order a capable public utility to acquire the family of small water and sewer public utilities (the “Rhodes Utilities” identified *infra*) owned by the Blaine Edwin Rhodes Estate (“Rhodes Estate”). In support of this Petition, I&E avers the following:

¹ 52 Pa. Code §§ 5.1 and 5.41.

² 66 Pa.C.S. §529.

I. PARTIES

1. The Pennsylvania Public Utility Commission with a mailing address of P.O. Box 3265, Harrisburg, PA 17105-3265, 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 - 3316.

2. Petitioner is the Commission's Bureau of Investigation and Enforcement and is the entity established to prosecute actions involving certificated public utilities pursuant to 66 Pa.C.S. § 308.2(a)(11)-(12); *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. Petitioner's counsel is/are as follows:

Scott B. Granger, Senior Prosecutor
PA Attorney ID No. 63641
sgranger@pa.gov
717.425.7593

Michael Podskoch, Prosecutor
PA Attorney ID No. 330132
mpodskoch@pa.gov
717.783.6151

On Behalf of:

Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

4. Respondent, Rhodes Estate, is the owner of several “public utilities” as that term is defined at 66 Pa.C.S. § 102,³ as it is engaged in providing water and wastewater service to the public pursuant to several certificates of public convenience issued by the Commission and identified *infra*.

5. The following is a list of the certificated public utilities identified as the Rhodes Utilities currently owned and operated by the Rhodes Estate⁴ and subject to this Petition:

- A. Sugarcreek Water Company, Utility Code 212920;
- B. West Hickory Water Company, Utility Code 213410;
- C. Plumer Water Company, Utility Code 212400;
- D. Fryburg Water Company, Utility Code 211020;
- E. Cooperstown Water Company, Utility Code 210600; and,
- F. Blaine E. Rhodes Sewer Company, Utility Code 230031.

6. According to Commission records, all of the several certificated public utilities owned and operated by the Rhodes Estate have a registered main mailing address of P.O. Box 397, Reno, PA, 16343 and a registered physical address of 91 Brock Street, Reno, PA, 16343.⁵

³ 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.
...
(vii) Wastewater collection, treatment, or disposal for the public for compensation.

⁴ The Rhodes Estate also owns and operates the Venango Water Company (“Venango”), Utility Code 213110. Venango is currently under the receivership of Aqua Pennsylvania, Inc. at Docket No. M-2023-3042180 and is the subject of a Commission ordered Section 529 investigation at Docket No. I-2023-3042312.

⁵ The Venango Water Company also has the same registered mailing address and physical address.

II. JURISDICTION

7. The Commission has jurisdiction over this matter pursuant to Section 501 of the Public Utility Code⁶ which authorizes and obligates the Commission to execute and enforce the provisions of the Public Utility Code.

8. Section 1501 of the Public Utility Code stated that every public utility shall furnish and maintain adequate, efficient, and reasonable service and facilities and that such service shall be reasonably continuous and without unreasonable interruptions or delay.⁷

9. Section 5.41 of the Pennsylvania Code⁸ allows a party to seek relief under the Public Utility Code by petition.

10. Section 529 of the Public Utility Code⁹ authorizes the Commission to open an investigation to determine, after notice and opportunity to be heard, whether it is in the public interest for the Commission to order a capable public utility to acquire a small water or sewer utility.

11. Respondent, in providing water and wastewater service for compensation, is subject to the power and authority of this Commission pursuant to Section 501(c) of the Public Utility Code¹⁰ which requires a public utility to comply with the Public Utility Code and Commission regulations and orders.

⁶ 66 Pa.C.S. §501.

⁷ 66 Pa.C.S. §1501.

⁸ 52 Pa. Code §5.41.

⁹ 66 Pa.C.S. §529.

¹⁰ 66 Pa.C.S. §501(c).

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

III. BACKGROUND

13. Prior to passing away on March 19, 2020, Blaine Edwin Rhodes (“Blaine Rhodes”) was the owner of the several public utilities that now make up the Rhodes Utilities. Blaine Rhodes had inherited all of the Rhodes Utilities from his father, Boyd Park Rhodes,¹¹ except for the West Hickory Water Company which he purchased from private owners.¹²

14. The Rhodes Estate also owns the Venango Water Company (“Venango”) that was recently the subject of an August 11, 2023, Ex-Parte Emergency Order (“Emergency Order”) issued by the Commission at Docket No. M-2023-3042180.

15. In its Emergency Order, the Commission noted, among other concerns, that it had received notice that the Pennsylvania Department of Environmental Protection (“DEP”) required Venango to issue a “Do Not Consume” advisory for the Venango system due to possible contamination of a Venango water source.¹³

16. During the administrative process and after the Emergency Order was issued, the Commission, through its Bureau of Technical Utility Services (“TUS”), was

¹¹ Boyd Park Rhodes died testate on September 17, 1988, and, through several applications with the Commission, transferred all of his ownership interests in Sugarcreek Water, Plumer Water, Fryburg Water, Cooperstown Water, and Boyd Rhodes Sewer utility companies to Blaine Rhodes. *See* Docket Nos. A-213110F5001; A-212920F5001; A-212400F5001; A-211020F5001; A-210600F5001; and A-230031.

¹² On or about September 2, 1983, Blaine Rhodes filed an application to transfer the interests in West Hickory Water from Basil and Irene Laubach to Blaine Rhodes. *See* Docket No. A-0009645F0002.

¹³ Emergency Order, Docket No. M-2023-3042180, p. 1.

made aware that Randall and Kevin Rhodes (the Rhodes Brothers”), the current certified operators of the Rhodes Utilities, desire to end their services as certified operators as of December 31, 2023. The Rhodes Brothers are providing their services under a verbal agreement, there is no written agreement.

17. After hearing of the Rhodes Brothers desire to end their services, on September 22, 2023, TUS sent data requests to the Rhodes Estate and the Rhodes Brothers seeking clarification of the certified operator issue. *See* the TUS data requests attached hereto as Exhibit “A”.

18. Specifically, the first data request asked the Rhodes Brothers to “confirm that Kevin and Randall Rhodes will cease their duties as certified operators for the Rhodes Utilities.” To which the Rhodes Brothers responded “[T]hat decision is still being considered as being executed as of that date.” *See* Rhodes Brothers response attached hereto as Exhibit “B”.

19. The TUS data requests also asked for a succession plan and the identity of the decision maker. The response provided by the Rhodes Brothers was that the Estate of Blaine E. Rhodes will make the plan for succession and will choose the next certified operators for the Rhodes Utilities. *See* Rhodes Brothers response attached hereto as Exhibit “B.”

20. The Rhodes Estate never provided responses to the TUS data requests.

21. TUS continued its investigation, and on October 13, 2023, TUS received a 2022 sewage inspection report for the Blaine E. Rhodes Sewer Company at Reno Village

from DEP. *See* the sewage inspection report attached hereto as Exhibit “C”. The sewage inspection report indicates four (4) instances of non-compliance¹⁴ but no violations.

22. On October 17, 2023, TUS received water supply inspection reports from DEP for the West Hickory, Fryburg, Cooperstown, and Sugarcreek water companies.

23. The February 14, 2023, West Hickory water supply inspection report indicates 17 minor deficiencies affecting the groundwater and GUDI sources; the treatment plant and general chemical addition; the distribution system; water storage; pumps and controls; monitoring and reporting; and system management. *See* the West Hickory water supply inspection report attached hereto as Exhibit “D”.

24. The May 17, 2023, Fryburg water supply inspection report indicates one (1) violation of 25 Pa. Code §109.703(a) for failing to monitor and record water levels and flow rates of Well #1 as well as nineteen (19) minor deficiencies affecting the groundwater and GUDI sources; the treatment plant and general chemical addition; chemical addition, corrosion control, iron and manganese treatment and fluoride; ion exchange, ae ration and activated carbon; the distribution system; water storage; and, system management. *See* the Fryburg water supply inspection report attached hereto as Exhibit “E”.

25. The June 14, 2023, Cooperstown water supply inspection report indicates four (4) violations consisting of two (2) violations of 25 Pa. Code §109.304(a) regarding monitoring and reporting, and two (2) violations of 25 Pa. Code §109.703(a) regarding

¹⁴ See Exhibit C, Sewage Inspection Report, p. 2.

chlorine disinfection. Additionally, the report indicated nineteen (19) minor deficiencies affecting the groundwater and GUDI sources; the treatment plant and general chemical addition; the distribution system; water storage; pumps and controls; monitoring and reporting; and system management. *See* the Cooperstown water supply inspection report attached hereto as Exhibit “F”.

26. The June 27, 2023, Sugarcreek water supply inspection report indicates two (2) violations consisting of one (1) violation of 25 Pa. Code §109.304(a) regarding monitoring and reporting, and one (1) violation of 25 Pa. Code §109.703(a) regarding chlorine disinfection. Additionally, the report indicated twenty (20) minor deficiencies affecting the groundwater and GUDI sources; the treatment plant and general chemical addition; the distribution system; water storage; and system management. *See* the Cooperstown water supply inspection report attached hereto as Exhibit “G”.

27. On October 20, 2023, the DEP provided TUS with a copy of the NOTICE OF VIOLATION outlining the multiple violations that were observed during the June 14, 2023, water supply inspection of the Cooperstown system referenced *supra*. *See* the NOTICE OF VIOLATION attached hereto as Exhibit “H”.

28. On October 20, 2023, the DEP provided TUS with a copy of the NOTICE OF VIOLATION outlining the multiple violations that were observed during the June 27, 2023, water supply inspection of the Sugarcreek system referenced *supra*. *See* the NOTICE OF VIOLATION attached hereto as Exhibit “I”.

29. TUS referred this matter to I&E on November 16, 2023. The referral indicated that TUS advised the Rhodes Brothers to file a letter with the Commission if

they intend to cease performing their certified operator duties for the Rhodes Utilities at the end of 2023; however, as of the date of the referral to I&E, no such letter had been filed.

30. After I&E received the referral from TUS, I&E contacted the attorney for the Rhodes Brothers, Joseph J. Ferguson, Esquire,¹⁵ to discuss the status of the Rhodes Brothers certified operator duties and whether they would continue to provide those services after December 31, 2023.

31. Also, after I&E received the referral from TUS, I&E contacted the attorney for the Rhodes Estate, Gregory J. Merkel, Esquire,¹⁶ to discuss the plans the Rhodes Estate has for the Rhodes Utilities and whether any arrangements had been made to retain alternative certified operators.

32. On December 20, 2023, the Rhodes Brothers emailed a copy of a letter notifying the DEP of the Rhodes Brothers' intention to cease their certified operator duties as of December 31, 2023. *See* Rhodes Brothers' letter attached hereto as Exhibit "J".

33. After receiving an electronic copy of the Rhodes Brothers' letter from DEP, I&E contacted the Rhodes Brothers' attorney to again inquire as to whether the Rhodes Brothers would continue to perform their certified operator duties beyond December 31, 2023, while an amicable resolution can be negotiated.

¹⁵ Attorney Joseph J. Ferguson is listed on the attached Certificate of Service and has received service of this Petition on behalf of the Rhodes Brothers.

¹⁶ Attorney Gregory J. Merkel is listed on the Certificate of Service and has received service of this Petition on behalf of the Rhodes Estate.

34. On December 27, 2023, the Rhodes Brothers' attorney confirmed by email that the Rhodes Brothers would agree to continue to perform their certified operator duties while the parties work towards an amicable resolution that may include a Commission Section 529 investigation.

35. Potential capable water and wastewater public utilities: Aqua Pennsylvania, Inc.; Pennsylvania American Water Company, Inc.; and Veolia Water, Inc. received a copy of this Petition as per the Certificate of Service. Also, the Rouseville Borough received a copy of this Petition because I&E learned that the Rouseville Borough expressed an interest in exploring the possibility of purchasing at least one of the water companies.

36. In consideration of all the above, I&E believes that it is appropriate for the Commission to initiate a Section 529 investigation regarding the Rhodes Utilities.

WHEREFORE, for all the foregoing reasons, the Bureau of Investigation and Enforcement of the Pennsylvania Public Utility Commission respectfully requests that:

- 1) an investigation pursuant to 66 Pa.C.S. § 529 be initiated to determine whether the Commission shall order a capable public utility to acquire any or all of the Rhodes Utilities;
- 2) the Secretary's Bureau open an I-Docket for purposes of prosecuting the Section 529 proceeding;
- 3) the Commission's Bureau of Investigation and Enforcement is expected to participate in the investigation proceeding;
- 4) water and wastewater utilities with an interest in this matter may petition to participate as appropriate;
- 5) the Commission consider whether a receiver be appointed for any or all of the Rhodes Utilities pursuant to Section 529(g); and,

- 6) any other such relief that the Commission deems appropriate.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Scott B. Granger".

Scott B. Granger
Senior Prosecutor
PA Attorney ID No. 63641

Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
Commonwealth Keystone Building
400 North Street
Harrisburg, Pennsylvania 17120
(717) 425-7593

Date: January 3, 2024

I&E
EXHIBIT A



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
BUREAU OF TECHNICAL UTILITY SERVICES
400 NORTH STREET, HARRISBURG, PA 17120

IN REPLY, PLEASE
REFER TO OUR FILE

September 22, 2023

BLAINE E RHODES ESTATE	Utility Codes: 212400
C/O DESIREE RHODES, EXECUTRIX	213110
RANDALL RHODES	213410
KEVIN RHODES	210600
P.O. BOX 397	211020
RENO, PA 16343	212920
vwc-rlr@pa.rr.com (also via US Mail)	230031
desireerhodes61@gmail.com	

RE: Venango Water Company, West Hickory Water Company, Sugarcreek Water Company, Plumer Water Company, Fryburg Water Company, Cooperstown Water Company, and the Blaine E. Rhodes Sewer Company, collectively owned by the Blaine E. Rhodes Estate

Dear Desiree Rhodes, Randall Rhodes, and Kevin Rhodes:

On August 11, 2023, staff in the Pennsylvania Public Utility Commission's (Commission) Bureau of Technical Utility Services (TUS) held a telephone conference call with Kevin, Randall, and Cinda Rhodes (August 11 Call). Kevin and Randall Rhodes are the certified operators for the following Commission-jurisdictional public utilities: Venango Water Company, West Hickory Water Company, Sugarcreek Water Company, Plumer Water Company, Fryburg Water Company, Cooperstown Water Company and the Blaine E. Rhodes Sewer Company (collectively, the Rhodes Utilities). According to the records of the Commission and the most recent Annual Financial Reports filed by the Rhodes Utilities with the Commission, all of the Rhodes Utilities are owned by the Blaine E. Rhodes Estate.

During the August 11 Call, Kevin and Randall Rhodes stated that as of December 31, 2023, they plan to cease their duties as the certified operators of all the Rhodes Utilities. To assist the Commission in ensuring continuity of operations and for the safe provision of service for the Rhodes Utilities, please respond with the information requested in Attachment 1.

Please forward the requested information to the Commission within ten (10) business days of the date of this letter. The responses shall be emailed to Ken Shaffer, TUS, at kennshaffe@pa.gov, with a copy to Dan Searfoorce at dsearfoorc@pa.gov. If you are unable to email your response, you are directed to call Ken Shaffer at 717-787-2359 to arrange for an alternative method of response. Any questions on this matter may be directed to Ken Shaffer at the email or phone number above. Thank you in advance for your cooperation.

Please note your answers must be verified per 52 Pa. Code § 1.36. Accordingly, you must provide the following statement with your responses:

I, [print name of appropriate company representative], 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 to be able to prove the same at a 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).

Signature _____

Title _____

Date _____

Sincerely,

Paul T. Diskin

Paul T. Diskin, Director
Bureau of Technical Utility Services

Enclosure – Attachment 1: Data Request Set 1

Cc John Van Zant, TUS
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James Greenfield, Attorney, greenfield@dwgmlaw.com (also via US Mail)
Joseph Ferguson, Attorney, 300 Arch Street, Meadville, PA 16335 (via US Mail)

Attachment 1

Technical Utility Services (TUS) Data Request Set 1

Venango Water Company, West Hickory Water Company, Sugarcreek Water Company, Plumer Water Company, Fryburg Water Company, Cooperstown Water Company and the Blaine E. Rhodes Sewer Company (collectively, the Rhodes Utilities)

Note: Please restate the data request prior to providing a response. In addition, provide the name and title of the person(s) providing the response and/or information for each data request.

- 1) Confirm that Kevin and Randall Rhodes will cease their duties as the certified operators for the Rhodes Utilities.
- 2) Describe the succession plan that will ensure the continued safe and reliable operation and provision of service to the public by the Rhodes Utilities after December 31, 2023.
- 3) Assuming that Kevin and Randall Rhodes cease to be the certified operators for the Rhodes Utilities on December 31, 2023, state the party/parties that will act as the certified operator(s) for each of the Rhodes utilities.

I&E
EXHIBIT B

Attachment 1

Technical Utility Services (TUS) Data Request Set 1

Venango Water Company, West Hickory Water Company, Sugarcreek Water Company, Plumer Water Company, Fryburg Water Company, Cooperstown Water Company and the Blaine E. Rhodes Sewer Company (collectively, the Rhodes Utilities)

Note: Please restate the data request prior to providing a response. In addition, provide the name and title of the person(s) providing the response and/or information for each data request.

1) Confirm that Kevin and Randall Rhodes will cease their duties as the certified operators for the Rhodes Utilities.

Answer: That decision is still being considered as being executed as of that date.

2) Describe the succession plan that will ensure the continued safe and reliable operation and provision of service to the public by the Rhodes Utilities after December 31, 2023.

Answer: The Estate of Blaine E. Rhodes is who will make the plan for succession. Contact information for the estate is:

- Desiree F. Rhodes, the Executrix of Blaine E. Rhodes Estate 2887 State Route 417, Franklin, PA 16323 814-673-5036
- Estate Attorney, Gregory J. Merkel, Dale Woodard Gent McFate Law Firm, 1030 Liberty Street, Franklin, PA 16323 814-432-2181

3) Assuming that Kevin and Randall Rhodes cease to be the certified operators for the Rhodes Utilities on December 31, 2023, state the party/parties that will act as the certified operator(s) for each of the Rhodes utilities.

Answer: The Estate of Blaine E. Rhodes is who will make the decision on who will act as the certified operator(s) for each of the Rhodes utilities. Contact information for the estate is:

- Desiree F. Rhodes, the Executrix of Blaine E. Rhodes Estate 2887 State Route 417, Franklin, PA 16323 814-673-5036
- Estate Attorney, Gregory J. Merkel, Dale Woodard Gent McFate Law Firm, 1030 Liberty Street, Franklin, PA 16323 814-432-2181

I, Randall L. Rhodes, 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 to be able to prove the same at a 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).

Signature: Randall L. Rhodes

Title: Secretary


Date: September 5, 2023

I&E
EXHIBIT C

SEWAGE INSPECTION REPORT

Permit Number	Inspection Date	Entry Time	Exit Time	Inspection Type	Inspection ID
PA0039225	09/29/2022	09:49	11:48	CEI	3437585
Municipality	Sugarcreek			County	Venango
Facility Name	RENO VILLAGE STP			Permittee Name	BLAINE E RHODES
24-Hour Emergency Contact Person/Phone	/			Email	----
Physical Location Address	RENO VILLAGE STP, RTE 8, RENO, PA, 16343				
Permit Expiration Date	04/30/2026	Next Submittal DueDate	----	----	----
Violations*	No Violations Noted				
Person Interviewed ----	Date 09/29/2022	Inspector MELISSA L CARVER	Date 09/29/2022		
Signature ---	Phone Number ----	Signature <i>Melissa L Carver</i>	Phone Number (814) 332-6341		
Title ----	Title WTR QLTY SPCST				
Email ----	Email mecarver@pa.gov				
<p>This document is official notification that a representative of the Department of Environmental Protection inspected the above facility. The findings of this inspection are shown above and on any attached pages. *Any violations which were noted during the inspection are indicated. Violations may also be discovered upon examination of the results of laboratory analyses of the discharge and/or review of Department records.</p>					

SEWAGE INSPECTION REPORT

Facility Details Section			
Responsible Official	BLAINE E RHODES	Title	----
Business Phone	(814) 676-2730	Email	vwc-rlr@pa.rr.com
Permittee Address	PO BOX 397, RENO, PA, 16343-0397		
Certified Operator	RHODES RANDALL L	Client ID	198248
Certificates	C,E-1,2,3,4	Certification Status	Active
		Expiration Date	06/30/2025
Is a Copy of the permit(s) on-site?		----	
Has the interviewed operator/person reviewed the facility's permit(s)?		----	
Non-Compliances 			
<ol style="list-style-type: none"> 25 Pa. Code 302.1201: Circuit rider failed to make available the general work plan and/or the system specific management plan. No general work plan 25 Pa. Code 302.1201: Circuit rider failed to make available the general work plan and/or the system specific management plan. No system specific work plan 25 Pa. Code 92a.41(a)(10): Failure to use an NIST thermometer. No NIST thermometer 25 Pa. Code 92a.61(f)(1): Failure to properly document monitoring activities and results. Non-compliance was corrected during the inspection with the development of new bench sheets 			
Comments			
<p>This was a scheduled inspection. In attendance were Melissa Carver- DEP Water Quality Specialist and Randall Rhodes-Reno Operator. Weather was overcast and in the 60s. No samples were collected during this inspection. Pictures are attached at the end of this report.</p> <p>An administrative review was conducted for the facility. The contracted lab is G & C Coal Analysis Lab, Inc.(1341 Hoffman Hollow Road, Summerville, PA, 15864, 814-849-2559, Lab ID: 33-00325). Upon looking through the Chain of Custody forms, it was observed that not all of the temperatures were recorded when the samples were received by the lab. Analytical Services (51 ProChem Tech Drive, Brockway, PA, 814-265-8749, Lab ID: 33-00411) conducts the testing for Total Kjeldahl Nitrogen. Chain of Custody forms and Lab reports were available for viewing. Supplementals are attached with each month's reports. Sample collection time and sample analysis time were not recorded on the bench sheets. This noncompliance was corrected during the inspection as the operator printed out new bench sheets with areas to record both temperatures. The thermometer in the sampling refrigerator was inoperable. The Department recommends acquiring a NIST thermometer to ensure proper temperature during collection. A total of 43,933 gallons of sludge was removed from the facility in 2021. Operator did not have a General Work Plan or a System Specific Management Plan.</p> <p>Some areas on the aeration basins were beginning to rust through, including areas on the main support beams. Baffles on the chlorine contact tank are wood and are decaying. The Department recommends replacing the baffles. There is no lid on the bucket for the sodium hypochlorite. Vegetation was observed in the sludge drying beds and the Department recommends removal of the vegetation. See attached pictures. The plant is reaching end of useful life with the amount of decay observed in both of the aeration basins.</p> <p>The outfall was not observed due to unsafe conditions crossing the road and getting down the embankment.</p>			
Participants:			

SEWAGE INSPECTION REPORT

1 Mon,Rpts&Rcds: PA0039225 - RENO VILLAGE STP (B E RHODES SWR CO)


Influent Sampling

MRR-1	Is influent monitoring required by the permit?	Yes	
MRR-2	Are influent samples collected?	Yes	
MRR-3	Is the influent sampling location prior to all treatment?	Yes	
MRR-4	Is the influent sampling location prior to all return flows?	Yes	
MRR-5	Are representative influent samples collected?	Yes	

Effluent Sampling

MRR-6	Is the effluent sample collected at the location identified in the permit?	Yes	
MRR-7	Where is the effluent sample collection location?	After CCT	
MRR-8	Is the effluent sample location after all treatment?	Yes	
MRR-9	Are representative effluent samples collected?	Yes	

Sample Collection

MRR-10	Are samples collected as required by the permit?	Yes	
MRR-11	Is proper sampling equipment / containers used during collection?	Yes	
MRR-12	Are the proper type of samples collected in accordance with the permit?	Yes	
MRR-13	Are the samples collected at the frequency in accordance with the permit?	Yes	
MRR-14	Is the proper sample size (minimum aliquot 100 mL) collected?	Yes	
MRR-15	Is proper temperature control provided during collection, storage and shipping? Notes: Thermometer broke	Not Observed	
MRR-16	Is the temperature of the sampler or storage refrigerator monitored using an NIST traceable thermometer and recorded?	No	
MRR-17	Is the sample storage temperature <=6 °C ?	Not Observed	
MRR-18	What is the sample storage temperature?	See comments	

On-site Lab Accreditation-by-Rule

MRR-19	Does the facility analyze accredited-by-rule parameters only?	Yes	
MRR-20	Which accredited-by-rule parameters are analyzed by the on-site lab?	pH DO TRC	

SEWAGE INSPECTION REPORT

MRR-21	Is the on-site lab registered?	Yes	
MRR-22	Laboratory Registration ID	61-04285	

Lab Accreditation

MRR-23	Does the on-site laboratory analyze permit parameters?	No	
MRR-29	Are permit parameters analyzed by a contract lab?	Yes	
MRR-30	Contract Lab Name, City, Phone	G&C Coal Analysis	
MRR-31	Contract Laboratory Accreditation ID	33-00325	
MRR-32	Is the contract lab accredited for those permit parameters?	Yes	
MRR-33	Have any changes occurred with the accredited-by-rule or the accredited parameters or labs?	No	

Analysis

MRR-35	Are approved test methods (per 40 CFR Part 136 or others) used for permit parameters?	Yes	
MRR-36	Are the methods used sufficiently sensitive for permit parameters?	Yes	
MRR-37	Are the samples analyzed within the required holding time?	Yes	
MRR-38	Are laboratory equipment/meters calibrated in accordance with the manufacturers' specifications?	Yes	
MRR-39	Are laboratory meters operated and maintained in accordance with the manufacturers' specifications?	Yes	
MRR-40	Are pH buffers and other reagent standards current?	Yes	

Records

MRR-41	Are sampling, calibration, laboratory results, chain-of-custody and other required records readily available for review and complete?	Yes	
MRR-42	Do the sampling records include collector, date/time, location information?	No	▲ 4
MRR-43	Do the analysis records include the analyst's name, the analysis date and time, the test method used, the quantitation limits, and the results?	Yes	
MRR-44	Are the required facility records retained for a minimum of 3 years?	Yes	
MRR-45	Are the required sludge use and disposal records retained for a minimum of 5 years?	Yes	
MRR-46	Was access provided to information or to facility records upon request?	Yes	

Reports

MRR-47	Identify the month/year of the DMRs and supporting data reviewed.	2018-present	
MRR-48	Are the reviewed DMRs and supplemental reports properly completed?	Yes	

SEWAGE INSPECTION REPORT

MRR-49	Are the reviewed bench sheets/lab reports consistent with the reported data?	Yes	
MRR-50	Are samples collected more frequently than required in the permit?	No	
MRR-52	Are DMRs submitted on time?	Yes	
MRR-53	Are the required supplemental reports submitted?	Yes	
MRR-54	Is the facility using the eDMR system, if required?	Yes	

2 Flow Measurement: PA0039225 - RENO VILLAGE STP (B E RHODES SWR CO)

Flow Measurement

Q-2	If influent flows are measured, are they measured before all return lines and after hauled-in waste?	Not Applicable	
Q-3	Is a flume present?	Yes	
Q-4	Is the flow uniform across flume channel?	Yes	
Q-5	Is the upstream channel section and the flume free of debris and deposits?	Yes	
Q-6	Is a weir present?	Yes	
Q-7	Are weirs clean with a visible air space below nappe?	Yes	
Q-8	What is the max flow that can be measured at the primary device (flume or weir)?	70gpm	

Meter & Recorder

Q-9	Does the permit require continuous flow monitoring and recording?	No	
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High Flows

Q-18	Does the permit require a High Flow Management Plan?	No	
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3 TP Treatment Plant: PA0039225 - RENO VILLAGE STP (B E RHODES SWR CO)

Treatment Units

TP-1	Are all treatment units operable?	Yes	
TP-2	Are the treatment units/equipment as described in the WQM permit(s) or in the previous inspection report?	Yes	

Stand-by Power

TP-7	Is stand-by power provided?	No	
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Alarms

SEWAGE INSPECTION REPORT

TP-13	Is an alarm system available?	Yes	
TP-14	Type of Alarm	Auto Dialer	
TP-15	How often is the alarm system tested?	Monthly	
TP-16	What conditions trigger an alarm? Select all that apply.	Other Power failure High level Pump failure	
TP-17	Is the alarm system(s) operable?	Yes	

Chemicals

TP-18	Are chemicals used for treatment or otherwise added to the waste stream?	Yes	
TP-19	Which chemicals are added?	See comments	
TP-20	What is the purpose of the chemical addition?	See comments	
TP-21	Where are the chemicals added?	See comments	
TP-22	Are chemicals properly handled and stored to prevent a pollution incident?	Yes	

Bypasses

TP-23	Did a treatment plant bypass occur since the last inspection?	No	
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Planned Changes

TP-35	Have any changes (new pollutants, different or increased volume or loadings) to the waste stream from industrial or hauled-in wastes occurred since the last inspection?	No	
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4 O&M: PA0039225 - RENO VILLAGE STP (B E RHODES SWR CO)

O&M

OM-1	Which of the following treatment plant and equipment records are available?	O&M Manual Equipment Manuals	
OM-2	Is a daily operations log on-site?	Yes	
OM-3	Is the daily operations log up to date?	Yes	
OM-4	Which operational conditions/actions are recorded in the log?	Process adjustments Problems or Concerns	
OM-5	Are process control parameters monitored? (Record the monitoring frequency and current results)	No	
OM-6	Is an influent/process control supplemental report form completed and submitted with the DMR?	Yes	

SEWAGE INSPECTION REPORT

OM-7	Does the daily operations log include maintenance and repair records?	Yes	
OM-10	Are the PM and repair logs up to date?	Yes	
OM-11	Were major equipment repairs/replacements done since the last inspection?	Yes	
OM-12	Is a spare parts inventory, either written or electronic, maintained?	No	
OM-13	Are spare parts and equipment (pumps, motors) maintained on-site or readily available?	Yes	

Solids Management

OM-14	What is the sludge storage capacity?	9,000 gallons	
OM-15	How much sludge was removed from the facility in the past year?	43,933 gallons	
OM-16	How does the facility determine how much sludge to waste?	Weekly	
OM-17	Is sludge/biosolids production & disposal information submitted on the applicable supplemental report form with the DMR?	Yes	
OM-18	Does the facility test the removed sludge for %TS? Notes: Usually around 2%	Yes	
OM-19	Who provides sludge hauling/disposal/land application?	Heffern Septic	
OM-20	Where is the sludge disposal/biosolids application location?	Franklin STP	
OM-21	How and where are other solid materials, such as collected screenings and grit, disposed?	Sanitary landfill	
OM-22	Has the facility obtained or assured that contracted agents have the necessary permits and approvals for the disposal of solid materials?	Yes	
OM-23	Are solid materials handled and disposed of in compliance with a disposal permit and requirements?	Yes	
OM-24	Is the facility in compliance with all other Part C Special Conditions regarding Solids Management?	Yes	

Hauled in Wastes

OM-25	Does the facility accept hauled-in wastes?	No	
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Stormwater

OM-37	Does the permit include a special condition or other requirements regarding stormwater management?	No	
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Special Conditions

OM-42	Is the facility subject to industrial pretreatment requirements, or does the permit include a Part C Special Condition regarding Industrial Pretreatment?	No	
OM-45	Does the permit contain a condition regarding whole effluent toxicity (WET) tests?	No	
OM-48	Are any other special conditions in the permit not covered in this inspection report?	No	

SEWAGE INSPECTION REPORT

5 DP Discharge Point: 001 - RENO VILLAGE STP (B E RHODES SWR CO)

Outfall

DP-1	Outfall Observations	See comments	
DP-2	Were field measurements taken?	No	
DP-4	Were effluent samples collected for laboratory analysis?	No	

Downstream

DP-10	Is the receiving stream clear of floating or deposited materials, scum, sheen, foam, oil, grease or other substances associated with the discharge?	Yes	
DP-11	Were downstream field measurements taken?	No	
DP-13	Were downstream samples collected for laboratory analysis?	No	

Upstream

DP-19	Was the stream observed upstream from the outfall?	Yes	
DP-20	Were upstream field measurements taken?	No	
DP-22	Were upstream samples collected for laboratory analysis?	No	

6 CV Conveyance: 001 - RENO VILLAGE STP (B E RHODES SWR CO)

Collection System

CV-1	Does the permitted entity own, operate & maintain the entire collection system?	Yes	
CV-4	Is collection system maintenance performed?	Yes	
CV-5	Is maintenance regularly scheduled?	No	
CV-6	Is maintenance done as problems occur?	Yes	
CV-7	Which types of maintenance are performed?	See comments	
CV-8	Does the system experience infiltration and/or inflow that causes or could cause O&M problems or interferes with treatment?	No	

Sanitary Sewer Overflows

CV-12	Have any sanitary sewer overflows occurred since the last inspection?	No	
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OpCert: PA0039225 - RENO VILLAGE STP (B E RHODES SWR CO)

Operator Certification

SEWAGE INSPECTION REPORT

OP-1	Is a properly certified operator employed for the treatment plant?	Yes	
OP-2	Is at least one collection system pump station part of the permitted facility?	Yes	
OP-3	Is an operator with a valid E-4 certificate employed for the operation of the facility's collection system pump station(s)?	Yes	
OP-4	How many properly certified available operators make process control decisions at this facility?	2	
OP-5	Is at least one available operator's current certificate displayed at the treatment plant?	Yes	
OP-6	Have the available operators been provided with a copy of the current NPDES/WQM Permits?	Yes	
OP-7	On which days of the week is an available operator at the plant?	Monday Tuesday Wednesday Thursday Friday Saturday Verbal	
OP-8	How many hours are spent at the plant by the available operator(s) each day (weekdays/weekends/holidays)?	Weekday 1 Weekend 1	
OP-9	Does the operator notify the owner about violations or conditions that may cause a violation, and needed resources?	Yes	
OP-10	How does the operator notify the owner about known violations or conditions that may cause a violation, and about needed resources?	Verbal	
OP-11	Does the owner respond to the operator's notification about needed resources?	Yes	
OP-12	Does the operator act to resolve the condition(s) and/or violation(s)?	Yes	
OP-13	Are non-certified or not properly certified persons expected to perform work that requires process control decisions?	No	
OP-19	If the available operator/operator in charge (OIC) has changed, was a change of operator form submitted to DEP within 10 days?	Not Applicable	

Circuit Rider

OP-20	Is the facility operated by a circuit rider?	Yes	
OP-21	How many facilities does the circuit rider operate?	2	
OP-22	Is the required General Work Plan complete, signed by the owner and available for review upon request?	No	
OP-23	Is the required System Specific Management Plan complete, signed by the owner and available for review upon request?	No	

7 PS Pump Stations: PA0039225 - RENO VILLAGE STP (B E RHODES SWR CO)

Pump Stations

PS-1	How many pump stations are part of the facility's collection system?	2	
PS-2	Are pump station flows recorded?	No	
PS-7	Are pump stations monitored with alarms?	Yes	

SEWAGE INSPECTION REPORT

PS-8	Are the alarms operable?	Yes	
PS-9	Are the pump stations equipped with backup auxiliary power?	No	

SEWAGE INSPECTION REPORT

Inspection Images



#:

Photo #: 3 TP Treatment Plant-PA0039225 Description:
headworks bar screens. Influent samples collected here

Photo taken by MELISSA L CARVER



#:

Photo #: 3 TP Treatment Plant-PA0039225 Description:
comminutor Photo taken by MELISSA L CARVER

SEWAGE INSPECTION REPORT



#:

Photo #: 3 TP Treatment Plant-PA0039225 Description:
aeration basin train 1 Photo taken by MELISSA L
CARVER



#:

Photo #: 3 TP Treatment Plant-PA0039225 Description:
aeration basin 1 showing signs of rusting through Photo
taken by MELISSA L CARVER

SEWAGE INSPECTION REPORT



#:

Photo #: 3 TP Treatment Plant-PA0039225 Description:
aeration basin 2 Photo taken by MELISSA L CARVER



#:

Photo #: 3 TP Treatment Plant-PA0039225 Description:
aeration basin 2 showing signs of rusting through Photo
taken by MELISSA L CARVER

SEWAGE INSPECTION REPORT



#:

Photo #: 3 TP Treatment Plant-PA0039225 Description:
aeration basin I-beam almost completely rusted Photo
taken by MELISSA L CARVER



#:

Photo #: 3 TP Treatment Plant-PA0039225 Description:
clarifier on train 1 Photo taken by MELISSA L CARVER

SEWAGE INSPECTION REPORT



#:

Photo #: 3 TP Treatment Plant-PA0039225 Description:
clarifier on train 2 Photo taken by MELISSA L CARVER



#:

Photo #: 3 TP Treatment Plant-PA0039225 Description:
weir leading to CCT Photo taken by MELISSA L
CARVER

SEWAGE INSPECTION REPORT



#:

Photo #: 3 TP Treatment Plant-PA0039225 Description:
CCT Photo taken by MELISSA L CARVER



#:

Photo #: 5 DP Discharge Point-001 Description: dis-
charge pipe leading to river from the plant Photo taken by
MELISSA L CARVER

SEWAGE INSPECTION REPORT



#:

Photo #: 3 TP Treatment Plant-PA0039225 Description:
effluent sampler Photo taken by MELISSA L CARVER



#:

Photo #: 3 TP Treatment Plant-PA0039225 Description:
sodium hypochlorite. Bucket Drums stored at office in 55
gallon drums Photo taken by MELISSA L CARVER

SEWAGE INSPECTION REPORT



Lat: 41.41820, Long: -79.77380 2022-09-29 11:42:49

#:

Photo #: 3 TP Treatment Plant-PA0039225 Description:
digester Photo taken by MELISSA L CARVER



Lat: 41.41820, Long: -79.77380 2022-09-29 11:43:24

#:

Photo #: 3 TP Treatment Plant-PA0039225 Description:
sludge drying bed 1 Photo taken by MELISSA L CARVER

SEWAGE INSPECTION REPORT



#:

Photo #: 3 TP Treatment Plant-PA0039225 Description:
sludge drying bed 2 Photo taken by MELISSA L CARVER

I&E
EXHIBIT D



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF SAFE DRINKING WATER

WATER SUPPLY INSPECTION REPORT

Facility Name WEST HICKORY WATER COMPANY	PWSID No 6270002	Inspection Date 2023-02-14
Facility Location 3550 WEST MAIN STREET WEST HICKORY, PA 16370	County Forest	Municipality Harmony
Responsible Officials Name BLAINE E. RHODES	Telephone: (814) 676-2730	
	System Type: Community	Population: 450
Certified Operator Name RHODES RANDALL L	Field Order Number: ----	
	Issue Date (mm/dd/yy): ----	

Person(s) Interviewed

Name: Randy Rhodes	Title: Operator
Name: Kevin Rhodes	Title: Operator

eFACTS info

Inspection ID: 3504830	Inspection Type RTNC
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Minor Deficiencies

1A - GROUNDWATER AND GUDI SOURCES

WELLHEAD

SRC-002-WELL #2

The exposed portions of the well casing are not in good condition.

Remarks: The exposed portions of the well casing are covered in rust.

1A - GROUNDWATER AND GUDI SOURCES

WELLHEAD

SRC-002-WELL #2

Remarks: The well does not have a sanitary seal well cap, which does not meet the design standards set forth in the Public Water Supply Manual.

1A - GROUNDWATER AND GUDI SOURCES

WELLHEAD

SRC-002-WELL #2

Remarks: The static and pumping water levels are not measured and recorded.

2A - TREATMENT PLANT AND GENERAL CHEMICAL ADDITION

CHEMICALS AND EQUIPMENT

WTP-300-TREATMENT PLANT

Chemical day tanks have capacity for more than 30 hours of storage, which does not the meet the design standards set forth in the Public Water Supply Manual.

Remarks: Chemical day tanks have capacity for about 1-2 weeks of storage.

3 - DISTRIBUTION SYSTEM

OPERATIONS

DS-001-HARMONY T. W.HICKORY

Remarks: Distribution system unaccounted for water is more than 15% of the total production.

3 - DISTRIBUTION SYSTEM

OPERATIONS

DS-001-HARMONY T. W.HICKORY

Remarks: The water system does not plan to loop dead ends.

3 - DISTRIBUTION SYSTEM

OPERATIONS

DS-002-HARMONY TWP.

Remarks: The water system does not plan to loop dead ends.

4 - WATER STORAGE

GENERAL GROUNDS

ST-004-STORAGE TANK

Remarks: The grounds surrounding the storage tank are not secure from unauthorized access. The grounds surrounding the storage tank should be secured or monitored from unauthorized access.

4 - WATER STORAGE

STORAGE STRUCTURE

ST-004-STORAGE TANK

The manhole covers of the storage tank are not watertight and/or locked, which does not meet the design standards set forth in the Public Water Supply Manual.

Remarks: The manhole covers of the storage tank are not watertight and/or locked, which does not meet the design standards set forth in the Public Water Supply Manual.

The tank hatch consists of deteriorating wood and is not watertight.

4 - WATER STORAGE

STORAGE OPERATION

ST-004-STORAGE TANK

Remarks: The Storage tank does not have the ability to be isolated without the loss of distribution system pressure which would require a public notice if the tank was taken out of service. This does not meet the design standards set forth in the Public Water Supply Manual.

4 - WATER STORAGE

STORAGE OPERATION

ST-004-STORAGE TANK

Remarks: The storage tank operating levels are not monitored and recorded which limits the water system's ability to manage storage volume and water age.

5 - PUMPS AND CONTROLS

CONTROLS AND ALARMS

PST-001-MIDDLE PRESSURE ZONE

Remarks: A pump failure alarm system is not present, which does not meet the design standards set forth in the Public Water Supply Manual.

5 - PUMPS AND CONTROLS

OPERATION AND MAINTENANCE

PST-001-MIDDLE PRESSURE ZONE

Remarks: Operational records for the pumping facility are not being maintained.

5 - PUMPS AND CONTROLS

CONTROLS AND ALARMS

PST-002-HIGH PRESSURE ZONE

Remarks: A pump failure alarm system is not present, which does not meet the design standards set forth in the Public Water Supply Manual.

5 - PUMPS AND CONTROLS

OPERATION AND MAINTENANCE

PST-002-HIGH PRESSURE ZONE

Remarks: Operational records for the pumping facility are not being maintained.

6 - MONITORING AND REPORTING

METHOD 334.0

DS-001-HARMONY T. W.HICKORY

Remarks: There is no documentation for the most recent 12 months to demonstrate that routine quarterly calibration verifications have been completed in accordance with EPA Method 334.0 for each handheld or benchtop instrument used for analysis of chlorine to compliance monitoring, comparison grab samples or to obtain results needed to calculate log inactivation.

8 - SYSTEM MANAGEMENT

PLANS, MAPS, AND REPORTS

DS-001-HARMONY T. W.HICKORY

Remarks: The date that the Lead and Copper Rule Sample Siting Plan was last updated is not known, this information should be documented on the plan.

General Comments

I met with owner/operators Randy Rhodes and Kevin Rhodes at the Rhodes business office in Reno, PA. Plans and operational reports were reviewed before driving out to the West Hickory water treatment plant.

There have not been any changes in the distribution system, and the PWS is made up of about 25-35% seasonal camps.

West Hickory utilizes a CI17 and PLC system. Both Randy and Kevin receive alarm calls for parameters such as chlorine (low setpoint 1.0 mg/L, high setpoint 4.0 mg/L), electrical outages, and pressure. Chlorine feed pump changes can be made remotely through the PLC program (changes are made manually). Treatment plant operations are turned on via signals from the storage tank float switch.

Well #1 and Well #2 are located in the WTP Building. The wells are roughly 6ft apart and drilled to the same depth of ~98ft. The Rhodes stated that when the wells were originally drilled, an explosive charge was sent down to ensure the wells drew from the same source aquifer. Well #1 has not been used in at least a decade and does not contain a pump or connection to the potable water system. Well #2 contains 2 variable speed pumps that were installed in 2021. Due to the installation of the new pumps, the WTP hydropneumatic tank was no longer needed and has been disconnected. Pumping rate of Well #2 could reach a maximum of 27 gpm, half the maximum rate allowed by the 4-log permit (55 gpm).

The storage tank holds an estimated 10 hours of storage and contains one submersible pump for the middle pressure zone and one submersible pump for the upper pressure zone. A heater is installed in the hatch of the tank to prevent freezing. The lid had some rotting wood and was not in ideal condition.

Field Samples

Raw – 11:57am
Fe: 0.00 mg/L
Mn: 0.028 mg/L

EP – 12:09 PM
Free Cl: 2.8 mg/L (CI17 2.62 mg/L)
Total Cl: 2.6 mg/L
Mn: 0.028 mg/L

Distribution – 1:10pm
Free Cl: 1.90 mg/L
Total Cl: 2.20 mg/L

Recommendations

1. Contact the Department and conduct new source sampling before using Well #1.
2. Well #1 should be used in conjunction with Well #2 if it is to remain a permanent, available source. If West Hickory Water Company does not wish to use Well #1 regularly, contact the Department to potentially permit Well #1 as an emergency source or establish well field designation.
3. Conduct quarterly calibration verification for colorimeters per Method 334.
4. Consider collecting quarterly raw water Manganese field samples to ensure the Mn levels remain consistently below the secondary maximum contaminant level (0.050 mg/L).
5. The lid of the finished water storage tank consists of deteriorating wood topped with roofing material. Replace with a water-tight hatch to prevent contamination of finished water.
6. Rehabilitate the exposed portion of the Well #2 casing to prevent further rust and deterioration.
7. PWS personnel are aware of the location of an underground pressure tank in the Upper Distribution. Confirm the presence or absence of an additional (1) pressure tank for the Upper Distribution and (1) pressure tank for the Middle Distribution.
8. In the CMP, update Part 3 for Entry Point Operation. The CMP reviewed during the inspection had 6 sets of samples required for the entry point. Because West Hickory is running sources at a consistent ratio, only 1 set of samples are required per monitoring cycle. Submit the updated plan to the Department.

Signatures continued

- 7 -

Signatures

Received by(Print Name): Randy Rhodes	Unable To Receive Signature: Report completed in office
Investigator (Print Name): ALICIA MACBETH	

I&E
EXHIBIT E



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF SAFE DRINKING WATER

WATER SUPPLY INSPECTION REPORT

Facility Name FRYBURG WATER COMPANY	PWSID No 6160030	Inspection Date 2023-05-17
Facility Location CLUB ALLEY LANE FRYBURG, PA 16326	County Clarion	Municipality Washington
Responsible Officials Name BLAINE RHODES	Telephone: (814) 676-2730	
	System Type: Community	Population: 490
Certified Operator Name RHODES KEVIN S	Field Order Number: ----	
	Issue Date (mm/dd/yy): ----	

Person(s) Interviewed

Name: Kevin Rhodes	Title: Operator
Name: Randall Rhodes	Title: Operator

eFACTS info

Inspection ID: 3557993	Inspection Type RTNC
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Violations

C7 - 25 PA Code, §109.703(a)

ST:002 - CLEARWELL

Remarks: Per Permit 365W12-T1-MA5 Special Condition 2, FWA is required to measure and record water levels and flow rates from Well 1. FWA is required to notify the Department within 7 days if the specific capacity falls below 0.669 gpm/ft. FWA has not been monitoring and recording water levels and flow rates of Well 1.

Minor Deficiencies

1A - GROUNDWATER AND GUDI SOURCES

WELLHEAD

SRC-001-WELL #1

The exposed portions of the well casing are not in good condition.

Remarks: The exposed portions of the well casing are rusted.

1A - GROUNDWATER AND GUDI SOURCES

WELLHEAD

SRC-001-WELL #1

Remarks: The static and pumping water levels are not measured and recorded.

1A - GROUNDWATER AND GUDI SOURCES

WELLHEAD

SRC-002-WELL #3

Remarks: The static and pumping water levels are not measured and recorded.

2A - TREATMENT PLANT AND GENERAL CHEMICAL ADDITION

GENERAL INFORMATION

WTP-300-FRYBURG

The treatment plant is not clean and/or in good repair.

Remarks: The treatment plant is damp and has rusted components.

2A - TREATMENT PLANT AND GENERAL CHEMICAL ADDITION

CHEMICALS AND EQUIPMENT

WTP-300-FRYBURG

The chemical storage tanks do not have secondary containment sufficient to hold the volume of 110% of the largest tank to prevent accidental discharge in the event of a spill or overflow. This does not meet the design standards set forth in the Public Water Supply Manual.

Remarks: The chemical storage tanks do not have secondary containment sufficient to hold the volume of 110% of the largest tank to prevent accidental discharge in the event of a spill or overflow. This does not meet the design standards set forth in the Public Water Supply Manual.

The caustic soda does not have secondary containment.

2A - TREATMENT PLANT AND GENERAL CHEMICAL ADDITION

CHEMICALS AND EQUIPMENT

WTP-300-FRYBURG

Remarks: There is no method to measure the volume in the day tanks, which does not meet the design standards set forth in the Public Water Supply Manual.

2A - TREATMENT PLANT AND GENERAL CHEMICAL ADDITION

CHEMICALS AND EQUIPMENT

WTP-300-FRYBURG

Remarks: There are no provisions made for measuring the quantities of chemicals used, which does not meet the design standards set forth in the Public Water Supply Manual.

2G - CHEMICAL ADDITION, CORROSION CONTROL, IRON AND MANGANESE TREATMENT AND FLUORIDA

CORROSION CONTROL

WTP-300-FRYBURG

At the time of inspection, the entry point measurements do not show that the water quality parameters are within their designated ranges.

Remarks: At the time of inspection, the entry point measurements for pH were outside of the WPQ range of 6.45-6.67. Sample logs for FWC indicated that pH was consistently measured to be within the required range.

The Department's pH meter was used alongside the FWC meter at the office location (not FWC distribution) and the meters read pH within 0.2 of each other, so the discrepancy could not be explained.

FWC should consider conducting raw water pH sampling in addition to the EP sampling.

2G - CHEMICAL ADDITION, CORROSION CONTROL, IRON AND MANGANESE TREATMENT AND FLUORIDA

IRON AND MANGANESE

WTP-300-FRYBURG

Remarks: Iron and/or manganese are not being monitored before and after treatment.

2G - CHEMICAL ADDITION, CORROSION CONTROL, IRON AND MANGANESE TREATMENT AND FLUORIDA

IRON AND MANGANESE

WTP-300-FRYBURG

Remarks: The water system does not adjust iron and manganese treatment based on monitoring data.

2H - ION EXCHANGE, AERATION AND ACTIVATED CARBON

ION EXCHANGE

WTP-300-FRYBURG

Remarks: The water quality is not being measured at a tap prior to treatment and/or at a tap after treatment.

2H - ION EXCHANGE, AERATION AND ACTIVATED CARBON

ION EXCHANGE

WTP-300-FRYBURG

Remarks: The water system does not adjust ion exchange treatment based on monitoring data.

3 - DISTRIBUTION SYSTEM

OPERATIONS

DS-001-DISTRIBUTION SYSTEM 001

Remarks: The water system does not plan to loop dead ends.

4 - WATER STORAGE

GENERAL GROUNDS

ST-001-UPPER RESERVOIR

Remarks: The grounds surrounding the storage tank are not secure from unauthorized access. The grounds surrounding the storage tank should be secured or monitored from unauthorized access.

4 - WATER STORAGE

STORAGE STRUCTURE

ST-001-UPPER RESERVOIR

Remarks: The roof of the storage tank is not watertight, which does not meet the design standards set forth in the Public Water Supply Manual.

4 - WATER STORAGE

STORAGE STRUCTURE

ST-001-UPPER RESERVOIR

The interior of the storage structure is not protected from wildlife. This does not meet the design standards set forth in the Public Water Supply Manual.

Remarks: The interior of the storage structure is not protected from wildlife. This does not meet the design standards set forth in the Public Water Supply Manual.

The wooden structure above the reservoir is not completely sealed.

4 - WATER STORAGE

STORAGE OPERATION

ST-001-UPPER RESERVOIR

Remarks: The storage tank operating levels are not monitored and recorded which limits the water system's ability to manage storage volume and water age.

8 - SYSTEM MANAGEMENT

FINANCIAL & ASSET MANAGEMENT

DS-001-DISTRIBUTION SYSTEM 001

Remarks: In the most recent fiscal year, system operating costs exceeded revenues.

8 - SYSTEM MANAGEMENT

FINANCIAL & ASSET MANAGEMENT

DS-001-DISTRIBUTION SYSTEM 001

Remarks: The water system does not have an Asset Management Plan.

General Comments

I met with operators Kevin Rhodes and Randall Rhodes at the location of the Fryburg Water Authority ("FWA") water treatment plant. Also present from the DEP was environmental trainee, Alaina Carney.

Well 1 is in the treatment plant building and the visible portion of the well casing was observed to be rusty. Well 1 runs at approximately 16 gpm and is the main source for FWA. This well experienced quantity issues in 2015/2016, resulting in a permit for well rehabilitation and temporary bulk water hauling. Per Permit 365W12-T1-MA5 Special Condition 2, FWA is required to measure and record water levels and flow rates from Well 1 at least two times per month. The data should be recorded in a logbook maintained at the well site. A specific capacity measurement of 0.669 gpm/ft or less shall require the permittee to notify the Department in writing within 7 days and the well shall be scheduled for additional cleaning and redevelopment within 90 days. FWA has not been measuring and recording water levels, which is a failure to adhere to permit special conditions. Because Well 3 is a poor producer and FWA has limited finished water storage, monitoring Well 1 is extremely important.

Well 3 is located just outside of the treatment plant building, and the casing appeared to be in good condition. Well 3 operates at approximately 8 gpm and is a poor producer. Well 3 turns on every 15-20 minutes and operates until a probe senses the pumping water level going below a certain point. This well may only run for a few minutes at a time, producing up to 4500 gpd.

Raw water from Well 1 passes through ion exchange. Two ion exchange units operate in parallel. Two additional units are disconnected via closed valves but are operational and on standby if needed.

After ion exchange, water from Well 1 combines with raw water from Well 3. The water is injected with sodium hypochlorite, caustic soda, and Carus 3280 orthophosphate, then enters the clearwell.

Corrosion control Permit 1697501-C1 from 2003 designates the WQP pH rang of 6.45-6.67. Results recorded in FWA's logbook show that pH sample results stay within or near the designated range. Field sample results measured by the DEP at the time of inspection were significantly higher. When the DEP Hach pH meter was compared to the Rhodes' meter at the office, the meters deviated by only 0.1 pH. This discrepancy could not be explained.

Field Samples

Raw - Well 1 - 9:45am
 Fe: 8.43 mg/L (1:3 dilution)
 Mn: 0.628 mg/L (1:3 dilution)
 Orthophosphate: 0.38 mg/L
 pH: 6.73 (10:31 am)
 Raw - Well 3 - 9:22am
 Fe: 0.04 mg/L
 Mn: 0.033 mg/L
 Orthophosphate 1.56 mg/L
 pH: 6.85 (10:24 am)

EP - 10:11 am
 Free Cl: 2.63 mg/L
 Total Cl: 2.79 mg/L
 Mn: 0.008 mg/L
 Fe: 0.05 mg/L
 Orthophosphate: 2.59 mg/L
 pH: 7.83
 Alk: 61

Distribution 803
 Free Cl: 2.59 mg/L
 Total Cl: 2.71 mg/L

Recommendations

1. Verify the accuracy of the pH meter. If not already being done, consider calibrating the pH meter at the FWA treatment plant just prior to sampling.
2. Monitor raw water pH alongside EP pH and adjust caustic soda feed accordingly. The caustic soda should not be completely eliminated without approval from the Department.
3. Acquire secondary containment for the caustic soda.
4. Monitor and record Well 1 water levels in accordance with Permit 365W12-T1-MA5 Special Condition 2.
5. Maintain the exterior structure of the reservoir to prevent infiltration of contaminants.
6. Chemical tank volumes/quantities should be measured and recorded.
7. Develop and Asset Management Plan for FWA.

Signatures continued

- 9 -

Signatures

Received by(Print Name): Kevin Rhodes	Unable To Receive Signature: Report completed in office
Investigator (Print Name): ALICIA MACBETH	

I&E
EXHIBIT F



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF SAFE DRINKING WATER

WATER SUPPLY INSPECTION REPORT

Facility Name COOPERSTOWN WATER COMPANY	PWSID No 6610017	Inspection Date 2023-06-14
Facility Location ELECTRA LANE/MAPLE DRIVE COOPERSTOWN, PA 16343	County Venango	Municipality Cooperstown
Responsible Officials Name BLAINE E RHODES	Telephone: (814) 676-2730	
	System Type: Community	Population: 360
Certified Operator Name RHODES KEVIN S	Field Order Number: ----	
	Issue Date (mm/dd/yy): ----	

Person(s) Interviewed

Name: Kevin Rhodes	Title: Operator
Name: Randy Rhodes	Title: Operator

eFACTS info

Inspection ID: 3575977	Inspection Type RTNC
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Violations

C2B - 25 PA Code, §109.304(a)

6 - MONITORING AND REPORTING

DS:001 - COOPERSTOWN BOROUGH

METHOD 334.0

There is no documentation to demonstrate that each on-line instrument used for analysis of chlorine for compliance monitoring or to obtain results needed to calculate log inactivation has passed the instrument IDC in accordance with EPA Method 334.0.

Remarks: C117 units used to monitor the alternate entry points for both Entry Point 134 (Low) and 135 (High) have not been subjected to an initial demonstration of capability (IDC).

C2B - 25 PA Code, §109.304(a)

6 - MONITORING AND REPORTING

DS:001 - COOPERSTOWN BOROUGH

METHOD 334.0

There is no documentation for the most recent 12 months to demonstrate that routine weekly comparative grab sampling analysis has been completed in accordance with EPA Method 334.0 for each on-line instrument used for analysis of chlorine for compliance monitoring or to obtain results needed to calculate log inactivation.

Remarks: There is no documentation for the most recent 12 months to demonstrate that routine weekly comparative grab sampling analysis has been completed for either unit.

C7 - 25 PA Code, §109.703(a)

2J - CHLORINE DISINFECTION

WTP:302 - TREATMENT PLT HIGH

PERMIT CONDITIONS

The water system is not complying with all special permit conditions relating to chlorine disinfection.

Remarks: The water system has no flow restriction in place except for the pumping capacity of the well pumps. Flow through the disinfection segment for the High Service portion is required to be restricted to 20gpm to fulfill 4log requirements.

C7 - 25 PA Code, §109.703(a)

2J - CHLORINE DISINFECTION

WTP:300 - TREATMENT PLT LOW

PERMIT CONDITIONS

The water system is not complying with all special permit conditions relating to chlorine disinfection.

Remarks: The water system has no flow restriction in place except for the pumping capacity of the well pumps. Flow through the disinfection segment for the Low Service portion is required to be restricted to 50 gpm to fulfill 4log requirements.

Minor Deficiencies

1A - GROUNDWATER AND GUDI SOURCES

WELLHEAD

SRC-003-WELL #4

Protective barriers are not present around the well casing, leaving the source vulnerable to damage.

Remarks: Well is 20 feet away from roadway

1A - GROUNDWATER AND GUDI SOURCES

SOURCE WATER QUANTITY

SRC-003-WELL #4

The source is not metered and/or water production is not recorded.

Remarks: No raw meter installed

2A - TREATMENT PLANT AND GENERAL CHEMICAL ADDITION

GENERAL INFORMATION

WTP-300-TREATMENT PLT LOW

The treatment plant is not clean and/or in good repair.

Remarks: Treatment plant has artifact injection points, overly oxidized check valves and exposed wiring throughout.

2A - TREATMENT PLANT AND GENERAL CHEMICAL ADDITION

GENERAL INFORMATION

WTP-300-TREATMENT PLT LOW

Plant piping is not color-coded and/or labeled to differentiate between finished, raw and waste water flow and direction.

Remarks: Plant piping is not coded/labeled based on two pressure zones. No directional flow indicators present.

2A - TREATMENT PLANT AND GENERAL CHEMICAL ADDITION

CHEMICALS AND EQUIPMENT

WTP-300-TREATMENT PLT LOW

Chemical container lids do not fit tightly, which does not meet the design standards set forth in the Public Water Supply Manual.

Remarks: Chemical container lids were found lying on top of solution tank

2A - TREATMENT PLANT AND GENERAL CHEMICAL ADDITION

CHEMICALS AND EQUIPMENT

WTP-300-TREATMENT PLT LOW

Chemical day tanks have capacity for more than 30 hours of storage, which does not meet the design standards set forth in the Public Water Supply Manual.

Remarks: Chemical day tanks are estimated to last one week

2A - TREATMENT PLANT AND GENERAL CHEMICAL ADDITION

CHEMICALS AND EQUIPMENT

WTP-300-TREATMENT PLT LOW

The speed and stroke settings on the diaphragm pumps are not set within 20% to 90% of max settings.

Remarks: Both pumps are set to 100% speed capacity, stroke is set to half capacity.

2A - TREATMENT PLANT AND GENERAL CHEMICAL ADDITION

GENERAL INFORMATION

WTP-302-TREATMENT PLT HIGH

The treatment plant is not clean and/or in good repair.

Remarks: Treatment plant has artifact injection points, overly oxidized check valves and exposed wiring throughout.

2A - TREATMENT PLANT AND GENERAL CHEMICAL ADDITION

GENERAL INFORMATION

WTP-302-TREATMENT PLT HIGH

Plant piping is not color-coded and/or labeled to differentiate between finished, raw and waste water flow and direction.

Remarks: Plant piping is not coded based on two pressure zones.

2A - TREATMENT PLANT AND GENERAL CHEMICAL ADDITION

CHEMICALS AND EQUIPMENT

WTP-302-TREATMENT PLT HIGH

Chemical container lids do not fit tightly, which does not meet the design standards set forth in the Public Water Supply Manual.

Remarks: Chemical container lids were found lying on top of solution tank

2A - TREATMENT PLANT AND GENERAL CHEMICAL ADDITION

CHEMICALS AND EQUIPMENT

WTP-302-TREATMENT PLT HIGH

Chemical day tanks have capacity for more than 30 hours of storage, which does not meet the design standards set forth in the Public Water Supply Manual.

Remarks: Chemical day tanks are estimated to last one week

2A - TREATMENT PLANT AND GENERAL CHEMICAL ADDITION

CHEMICALS AND EQUIPMENT

WTP-302-TREATMENT PLT HIGH

The speed and stroke settings on the diaphragm pumps are not set within 20% to 90% of max settings.

Remarks: Both pumps are set to 100% capacity

3 - DISTRIBUTION SYSTEM

VALVES

DS-001-COOPERSTOWN BOROUGH

Remarks: There are no written procedures for isolating portions of the system and repairing mains.

4 - WATER STORAGE

CHLORINE CONTACT OR PRESSURE TANK

ST-003-LOW CONTACT PIPE

The chlorine contact tank does not have a sample tap at the tank's outlet to allow for sampling of the water leaving the tank.

Remarks: The chlorine contact time is achieved through 600 feet of 6 inch transmission line. A sample tap is installed before piping but no tap is installed at the outlet of the pipe.

4 - WATER STORAGE

CHLORINE CONTACT OR PRESSURE TANK

ST-004-HIGH CONTACT PIPE

The chlorine contact tank does not have a sample tap at the tank's outlet to allow for sampling of the water leaving the tank.

Remarks: The chlorine contact time is achieved through 1600 feet of 4 inch transmission line. A sample tap is installed before piping but no tap is installed at the outlet of the pipe.

4 - WATER STORAGE

STORAGE STRUCTURE

ST-008-HIGHLAND PS TANK #1

Remarks: The water system does not inspect the interior of the storage tank. AWWA Standard M42 recommends that storage tanks are cleaned and inspected no less than once every five years.

4 - WATER STORAGE

STORAGE OPERATION

ST-008-HIGHLAND PS TANK #1

Remarks: Storage tank valves are not exercised to ensure proper operation.

4 - WATER STORAGE

STORAGE STRUCTURE

ST-009-HIGHLAND PS TANK #2

Remarks: The water system does not inspect the interior of the storage tank. AWWA Standard M42 recommends that storage tanks are cleaned and inspected no less than once every five years.

4 - WATER STORAGE

STORAGE OPERATION

ST-009-HIGHLAND PS TANK #2

Remarks: Storage tank valves are not exercised to ensure proper operation.

5 - PUMPS AND CONTROLS

CONTROLS AND ALARMS

PST-001-HIGHLAND PS

Remarks: A pump failure alarm system is not present, which does not meet the design standards set forth in the Public Water Supply Manual.

6 - MONITORING AND REPORTING

METHOD 334.0

DS-001-COOPERSTOWN BOROUGH

Remarks: The injection well to which the on-line chlorine analyzer's waste stream discharges is not registered with the EPA Underground Injection Control (UIC) Program.

6 - MONITORING AND REPORTING

COMPLIANCE MONITORING: ENTRY POINT SAMPLING

DS-001-COOPERSTOWN BOROUGH

Remarks: Each entry point tap is not labeled.

8 - SYSTEM MANAGEMENT

FINANCIAL & ASSET MANAGEMENT

DS-001-COOPERSTOWN BOROUGH

Remarks: The water system does not prepare an annual operating budget.

8 - SYSTEM MANAGEMENT

FINANCIAL & ASSET MANAGEMENT

DS-001-COOPERSTOWN BOROUGH

Remarks: The water system does not prepare an annual capital budget.

8 - SYSTEM MANAGEMENT

FINANCIAL & ASSET MANAGEMENT

DS-001-COOPERSTOWN BOROUGH

Remarks: In the most recent fiscal year, system operating costs exceeded revenues.

8 - SYSTEM MANAGEMENT

FINANCIAL & ASSET MANAGEMENT

DS-001-COOPERSTOWN BOROUGH

Remarks: The water system does not have an Asset Management Plan.

8 - SYSTEM MANAGEMENT

PLANS, MAPS, AND REPORTS

DS-001-COOPERSTOWN BOROUGH

The water system does not have a Lead and Copper Rule Sample Siting Plan that contains all required elements.

Remarks: The water system has sample site locations for LCR monitoring but does not have a Department approved Lead and Copper Rule Sample Siting Plan

Operator Certification

CERTIFIED OPERATOR OVERVIEW

The names and/or contact information of the available operators are not posted in the treatment plant.

Remarks: The names and/or contact information of the available operators are not posted in the treatment plant.

General Comments

Carly Rupert met with Kevin and Randy Rhodes, operators, for a routine full inspection of the Cooperstown Water Company public water system.

The following observations were noted:

The system currently sources water from a single well source; operators have not noted any issues with production, however, it is recommended to add another source for redundancy and ensure a constant source of water; please contact your sanitarian before any modifying or adding to any part of the system.

Entry Point taps 134 (Low Service) and 135 (High Service) are not located after the disinfection segment. The current configuration has 'entry point' samples taken in the treatment plant, before the contact piping for chlorine contact time. There is currently no taps installed after the contact segment save for the service connections. This was noted in the 4log permit for this system and is currently acceptable, but please consider relocating all entry point sampling to a point after the disinfection segment.

No flow restriction is installed in either disinfection segment. As stated in Operations Permit number 6188503-MA2, the Low Service Zone has a peak flow rate of 50 gpm and the High Service Zone has a peak flow rate of 20 gpm; this has been noted as a violation. Please install appropriate flow restriction on both disinfection segments.

The Hach CI17 continuous analyzers currently used to record compliance samples has not been subject to the required instrument Initial Demonstration of Capability (IDC) in accordance with EPA Method 334.0. This has been noted as a violation; please complete the required online analyzer IDC paperwork to bring the units into compliance with EPA Method 334.0.

A physical list of monitoring requirements dated June 13, 2023 and a record maintenance schedule was given to the system along with a business card with Carly Rupert's contact information-(814.332.6613, carrupert@pa.gov). These monitoring requirements, provided via DWRS and mailed to the system annually, do not negate any special permit condition sampling included in the permits issued to the system.

In the event of any future changes to the current configuration of the public drinking water system, please contact the department and receive written approval before any modifications are made.

Please confirm receipt of this report with an email to carrupert@pa.gov.

Field Samples

Subfacility: SRC-003-WELL #4	
Location Description Well #4 Raw Tap	
Sample Number	Parameter Result Iron (mg/l): 0.0
Date Time 06/14/2023 10:55:00 AM	SAC#/Suite/Description
Subfacility: SRC-003-WELL #4	
Location Description Well #4 Raw Tap	
Sample Number	Parameter Result Manganese (mg/l): 0.019
Date Time 06/14/2023 10:55:00 AM	SAC#/Suite/Description
Subfacility: SRC-003-WELL #4	
Location Description Well #4 Raw Tap	
Sample Number	Parameter Result pH (pH units): 6.58
Date Time 06/14/2023 10:55:00 AM	SAC#/Suite/Description
Subfacility: SRC-003-WELL #4	
Location Description Well #4 Raw Tap	
Sample Number	Parameter Result Temperature (Deg C): 13.4
Date Time 06/14/2023 10:55:00 AM	SAC#/Suite/Description

Subfacility: SRC-003-WELL #4	
Location Description Well #4 Raw Tap (Alkalinity)	
Sample Number	Parameter Result Other: 110.0
Date Time 06/14/2023 10:55:00 AM	SAC#/Suite/Description
Subfacility: WTP-300-TREATMENT PLT LOW	
Location Description Tap before contact segment in Low Service	
Sample Number	Parameter Result Chlorine, Free (mg/l): 2.24
Date Time 06/14/2023 10:55:00 AM	SAC#/Suite/Description
Subfacility: WTP-300-TREATMENT PLT LOW	
Location Description Tap before contact segment in Low Service	
Sample Number	Parameter Result Chlorine, Total (mg/l): 2.25
Date Time 06/14/2023 10:55:00 AM	SAC#/Suite/Description
Subfacility: WTP-300-TREATMENT PLT LOW	
Location Description Tap before contact segment in Low Service	
Sample Number	Parameter Result pH (pH units): 6.56
Date Time 06/14/2023 10:55:00 AM	SAC#/Suite/Description

Subfacility: WTP-300-TREATMENT PLT LOW	
Location Description Tap before contact segment in Low Service	
Sample Number	Parameter Result Temperature (Deg C): 12.9
Date Time 06/14/2023 10:55:00 AM	SAC#/Suite/Description
Subfacility: WTP-301-TREATMENT PLANT 301	
Location Description Tap before contact segment in High Service	
Sample Number	Parameter Result Chlorine, Free (mg/l): 1.8
Date Time 06/14/2023 10:55:00 AM	SAC#/Suite/Description
Subfacility: WTP-301-TREATMENT PLANT 301	
Location Description Tap before contact segment in High Service	
Sample Number	Parameter Result Chlorine, Total (mg/l): 1.75
Date Time 06/14/2023 10:55:00 AM	SAC#/Suite/Description
Subfacility: WTP-301-TREATMENT PLANT 301	
Location Description Tap before contact segment in High Service	
Sample Number	Parameter Result pH (pH units): 6.51
Date Time 06/14/2023 10:55:00 AM	SAC#/Suite/Description

Subfacility: WTP-301-TREATMENT PLANT 301	
Location Description Tap before contact segment in High Service	
Sample Number	Parameter Result Temperature (Deg C): 13.3
Date Time 06/14/2023 10:55:00 AM	SAC#/Suite/Description
Subfacility: DS-001-COOPERSTOWN BOROUGH	
Location Description Sample Tap 801	
Sample Number	Parameter Result Chlorine, Free (mg/l): 2.18
Date Time 06/14/2023 10:55:00 AM	SAC#/Suite/Description
Subfacility: DS-001-COOPERSTOWN BOROUGH	
Location Description Sample Tap 801	
Sample Number	Parameter Result Chlorine, Total (mg/l): 2.12
Date Time 06/14/2023 10:55:00 AM	SAC#/Suite/Description
Subfacility: PST-001-HIGHLAND PS	
Location Description Sample Tap 803	
Sample Number	Parameter Result Chlorine, Free (mg/l): 2.45
Date Time 06/14/2023 11:55:00 AM	SAC#/Suite/Description

Subfacility: PST-001-HIGHLAND PS	
Location Description Sample Tap 803	
Sample Number	Parameter Result Chlorine, Total (mg/l): 2.21
Date Time 06/14/2023 11:55:00 AM	SAC#/Suite/Description

Signatures

Received by(Print Name): Randy Rhodes	Unable To Receive Signature: Report completed in office
Investigator (Print Name): CARLY JANELLE RUPERT	

I&E
EXHIBIT G



COMMONWEALTH OF PENNSYLVANIA
 DEPARTMENT OF ENVIRONMENTAL PROTECTION
 BUREAU OF SAFE DRINKING WATER

WATER SUPPLY INSPECTION REPORT

Facility Name SUGARCREEK WATER CO		PWSID No 6610029	Inspection Date 2023-06-27
Facility Location SUGARCREEK DRIVE FRANKLIN, PA 16323	County Venango	Municipality Sugar creek	
Responsible Officials Name BLAINE E RHODES	Telephone: (814) 676-2730		
	System Type: Community		Population: 205
Certified Operator Name RHODES KEVIN S	Field Order Number: ----		
	Issue Date (mm/dd/yy): ----		

Person(s) Interviewed

Name: Kevin Rhodes	Title: Operator
Name: Randy Rhodes	Title: Operator

eFACTS info

Inspection ID: 3576081	Inspection Type RTNC
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Violations

C2B - 25 PA Code, §109.304(a)

6 - MONITORING AND REPORTING
 DS:001 - SUGARCREEK BOROUGH
 METHOD 334.0

There is no documentation to demonstrate that each on-line instrument used for analysis of chlorine for compliance monitoring or to obtain results needed to calculate log inactivation has passed the instrument IDC in accordance with EPA Method 334.0.

Remarks: There is no documentation to demonstrate that each on-line instrument used for analysis of chlorine for compliance monitoring.

C7 - 25 PA Code, §109.703(a)

2J - CHLORINE DISINFECTION

WTP:329 - SUGARCREEK

PERMIT CONDITIONS

The water system is not complying with all special permit conditions relating to chlorine disinfection.

Remarks: The water system has no flow restriction in place except for the pumping capacity of the well pump(s). Flow through the disinfection segment for the Sugar creek Water Co. is required to be restricted to 35gpm to fulfill 4log requirements.

Minor Deficiencies

1A - GROUNDWATER AND GUDI SOURCES

WELLHEAD

SRC-002-SUGARCREEK WELL#1

The exposed portions of the well casing are not in good condition.

Remarks: Casing is heavily corroded

1A - GROUNDWATER AND GUDI SOURCES

WELLHEAD

SRC-002-SUGARCREEK WELL#1

Remarks: The well is constructed in a pit, which does not meet the design standards set forth in the Public Water Supply Manual.

1A - GROUNDWATER AND GUDI SOURCES

WELLHEAD

SRC-002-SUGARCREEK WELL#1

Remarks: The well pit cover is not water-tight.

1A - GROUNDWATER AND GUDI SOURCES

SOURCE WATER QUANTITY

SRC-002-SUGARCREEK WELL#1

Remarks: The source is not metered and/or water production is not recorded.

2A - TREATMENT PLANT AND GENERAL CHEMICAL ADDITION

GENERAL INFORMATION

WTP-329-SUGARCREEK

The treatment plant is not clean and/or in good repair.

Remarks: Corrosion throughout plant and exposed wires

2A - TREATMENT PLANT AND GENERAL CHEMICAL ADDITION

GENERAL INFORMATION

WTP-329-SUGARCREEK

Plant piping is not color-coded and/or labeled to differentiate between finished, raw and waste water flow and direction.

Remarks: No directional labels and confusing pipe layout

2A - TREATMENT PLANT AND GENERAL CHEMICAL ADDITION

CHEMICALS AND EQUIPMENT

WTP-329-SUGARCREEK

Chemical container lids do not fit tightly, which does not meet the design standards set forth in the Public Water Supply Manual.

Remarks: Chemical containers have lids that sit on chemical tanks

2A - TREATMENT PLANT AND GENERAL CHEMICAL ADDITION

CHEMICALS AND EQUIPMENT

WTP-329-SUGARCREEK

There is no method to measure the volume in the day tanks, which does not meet the design standards set forth in the Public Water Supply Manual.

Remarks: There is no method to measure the volume in the day tanks

2A - TREATMENT PLANT AND GENERAL CHEMICAL ADDITION

CHEMICALS AND EQUIPMENT

WTP-329-SUGARCREEK

Chemical day tanks have capacity for more than 30 hours of storage, which does not meet the design standards set forth in the Public Water Supply Manual.

Remarks: Chemical day tanks have capacity for about 1 week of production.

2A - TREATMENT PLANT AND GENERAL CHEMICAL ADDITION

CHEMICALS AND EQUIPMENT

WTP-329-SUGARCREEK

The speed and stroke settings on the diaphragm pumps are not set within 20% to 90% of max settings.

Remarks: The speed and stroke settings on all diaphragm pumps are set to 100% stroke

2A - TREATMENT PLANT AND GENERAL CHEMICAL ADDITION

CHEMICALS AND EQUIPMENT

WTP-329-SUGARCREEK

The treatment materials and/or equipment which come in contact with the water or drinking water treatment chemicals do not meet the requirements of ANSI/NSF Standard 61. This does not meet the design standards set forth in the Public Water Supply Manual.

Remarks: The system is using repurposed, clear plastic food containers (pretzel containers) as day tanks for both chlorine and phosphate chemicals.

2A - TREATMENT PLANT AND GENERAL CHEMICAL ADDITION

CHEMICALS AND EQUIPMENT

WTP-329-SUGARCREEK

Remarks: Chemical injection points are not labeled.

3 - DISTRIBUTION SYSTEM

VALVES

DS-001-SUGARCREEK BOROUGH

Remarks: There are no written procedures for isolating portions of the system and repairing mains.

4 - WATER STORAGE

GENERAL GROUNDS

ST-005-TANK 3

The grounds surrounding the storage tank are not secure from unauthorized access. The grounds surrounding the storage tank should be secured or monitored from unauthorized access.

Remarks: No fencing around tank, tank is out of public view in the woods, uphill.

4 - WATER STORAGE

STORAGE STRUCTURE

ST-005-TANK 3

Remarks: The water system does not inspect the interior of the storage tank. AWWA Standard M42 recommends that storage tanks are cleaned and inspected no less than once every five years.

8 - SYSTEM MANAGEMENT

FINANCIAL & ASSET MANAGEMENT

DS-001-SUGARCREEK BOROUGH

Remarks: The water system does not prepare an annual operating budget.

8 - SYSTEM MANAGEMENT

FINANCIAL & ASSET MANAGEMENT

DS-001-SUGARCREEK BOROUGH

Remarks: The water system does not prepare an annual capital budget.

8 - SYSTEM MANAGEMENT

FINANCIAL & ASSET MANAGEMENT

DS-001-SUGARCREEK BOROUGH

Remarks: In the most recent fiscal year, system operating costs exceeded revenues.

8 - SYSTEM MANAGEMENT

FINANCIAL & ASSET MANAGEMENT

DS-001-SUGARCREEK BOROUGH

Remarks: The water system does not have an Asset Management Plan.

8 - SYSTEM MANAGEMENT

PLANS, MAPS, AND REPORTS

DS-001-SUGARCREEK BOROUGH

The water system does not have a Lead and Copper Rule Sample Siting Plan that contains all required elements.

Remarks: The water system only has sample sites for Lead and Copper Rule Sample Siting Plan. No Department forms have been completed.

Operator Certification

CERTIFIED OPERATOR OVERVIEW

The names and/or contact information of the available operators are not posted in the treatment plant.

Remarks: The names and/or contact information of the available operators are not posted in the treatment plant.

General Comments

Carly Rupert met with Kevin and Randy Rhodes, operators, for a routine full inspection of the Sugar Creek Water Company public water system.

The following observations were noted:

The casing of Well 002 is heavily corroded and the electrical conduit for the well terminates one foot below the treatment plant ceiling. Please consider completely sealing the electrical conduit casing and replacing the casing of the well.

The system currently sources water from a single well source; operators have not noted any issues with production, however, it is recommended to add another source for redundancy and ensure a constant source of water; please contact your sanitarian before any modifying or adding to any part of the system.

No flow restriction is installed the disinfection segment. As stated in Operations Permit number 363W12-MA1, the treatment plant has a peak flow rate of 35 gpm; this has been noted as a violation. Please install appropriate flow restriction on the disinfection segment.

The Hach CI17 continuous analyzer currently used to record compliance samples has not been subject to the required instrument Initial Demonstration of Capability (IDC) in accordance with EPA Method 334.0. This has been noted as a violation; please complete the required online analyzer IDC paperwork to bring the unit into compliance with EPA Method 334.0.

A physical list of monitoring requirements dated June 13, 2023 and a record maintenance schedule was given to the system along with a business card with Carly Rupert's contact information-(814.332.6613, carrupert@pa.gov). These monitoring requirements, provided via DWRS and mailed to the system annually, do not negate any special permit condition sampling included in the permits issued to the system.

In the event of any future changes to the current configuration of the public drinking water system, please contact the department and receive written approval before any modifications are made.

Please confirm receipt of this report with an email to carrupert@pa.gov.

Field Samples

Subfacility: SRC-002-SUGARCREEK WELL#1	
Location Description Raw water tap in treatment plant	
Sample Number	Parameter Result Iron (mg/l): 0.0
Date Time 06/27/2023 09:46:00 AM	SAC#/Suite/Description
Subfacility: SRC-002-SUGARCREEK WELL#1	
Location Description Raw water tap in treatment plant	
Sample Number	Parameter Result Manganese (mg/l): 0.04
Date Time 06/27/2023 09:46:00 AM	SAC#/Suite/Description
Subfacility: SRC-002-SUGARCREEK WELL#1	
Location Description Raw water tap in treatment plant	
Sample Number	Parameter Result pH (pH units): 6.21
Date Time 06/27/2023 09:46:00 AM	SAC#/Suite/Description
Subfacility: SRC-002-SUGARCREEK WELL#1	
Location Description Raw water tap in treatment plant	
Sample Number	Parameter Result Temperature (Deg C): 14.3
Date Time 06/27/2023 09:46:00 AM	SAC#/Suite/Description

Subfacility: SRC-002-SUGARCREEK WELL#1	
Location Description Raw water tap in treatment plant (Alkalinity)	
Sample Number	Parameter Result Other: 28.0
Date Time 06/27/2023 09:46:00 AM	SAC#/Suite/Description
Subfacility: EP-129-SUGARCREEK	
Location Description Entry Point 129	
Sample Number	Parameter Result Iron (mg/l): 0.0
Date Time 06/27/2023 09:46:00 AM	SAC#/Suite/Description
Subfacility: EP-129-SUGARCREEK	
Location Description Entry Point 129	
Sample Number	Parameter Result Manganese (mg/l): 0.0
Date Time 06/27/2023 09:46:00 AM	SAC#/Suite/Description
Subfacility: EP-129-SUGARCREEK	
Location Description Entry Point 129	
Sample Number	Parameter Result pH (pH units): 6.11
Date Time 06/27/2023 09:46:00 AM	SAC#/Suite/Description

Subfacility: EP-129-SUGARCREEK	
Location Description Entry Point 129	
Sample Number	Parameter Result Temperature (Deg C): 13.2
Date Time 06/27/2023 09:46:00 AM	SAC#/Suite/Description
Subfacility: EP-129-SUGARCREEK	
Location Description Entry Point 129	
Sample Number	Parameter Result Chlorine, Free (mg/l): 2.39
Date Time 06/27/2023 09:46:00 AM	SAC#/Suite/Description
Subfacility: EP-129-SUGARCREEK	
Location Description Entry Point 129	
Sample Number	Parameter Result Chlorine, Total (mg/l): 2.45
Date Time 06/27/2023 09:46:00 AM	SAC#/Suite/Description
Subfacility: EP-129-SUGARCREEK	
Location Description Entry Point 129	
Sample Number	Parameter Result Phosphate (mg/l): 1.91
Date Time 06/27/2023 09:46:00 AM	SAC#/Suite/Description

Subfacility: DS-001-SUGARCREEK BOROUGH	
Location Description Sample Point 803 (172 Wilson Street meter pit tap)	
Sample Number	Parameter Result Chlorine, Free (mg/l): 2.16
Date Time 06/27/2023 10:46:00 AM	SAC#/Suite/Description
Subfacility: DS-001-SUGARCREEK BOROUGH	
Location Description Sample Point 803 (172 Wilson Street meter pit tap)	
Sample Number	Parameter Result Chlorine, Total (mg/l): 2.18
Date Time 06/27/2023 10:46:00 AM	SAC#/Suite/Description
Subfacility: DS-001-SUGARCREEK BOROUGH	
Location Description Sample Point 803 (172 Wilson Street meter pit tap)	
Sample Number	Parameter Result Phosphate (mg/l): 2.02
Date Time 06/27/2023 10:46:00 AM	SAC#/Suite/Description

Signatures

Received by(Print Name): Kevin Rhodes	Unable To Receive Signature: Report completed in office
Investigator (Print Name): CARLY JANELLE RUPERT	

I&E
EXHIBIT H



October 20, 2023

NOTICE OF VIOLATION

CERTIFIED MAIL NO.:9489 0090 0027 6506 3080 80

Mr. Randall L. Rhodes, Secretary
Cooperstown Water Company
P.O. Box 397
Reno, PA 16343

CERTIFIED MAIL NO.: 9489 0090 0027 6506 3080 97

Mr. Kevin S. Rhodes, Treasurer
Cooperstown Water Company
P.O. Box 397
Reno, PA 16343

Re: Safe Drinking Water Violations
Cooperstown Water Company
PWSID No. 6610017
Cooperstown Borough, Venango County

Dear Messrs. Rhodes:

On June 14, 2023, the Department of Environmental Protection (“Department”) conducted an inspection of the Cooperstown Water Company (“Cooperstown”) public water system. A copy of the Department’s inspection report is attached for your review. During the inspection, multiple violations of the Safe Drinking Water Act and its Regulations were observed and are outlined below.

During the inspection, it was observed that Cooperstown is failing to follow approved methods for sampling and analysis. Specifically, the continuous analyzer used for compliance monitoring has not passed an Initial Demonstration of Capability (“IDC”). In accordance with 25 Pa. Code § 109.304(a), sampling and analysis shall be performed in accordance with analytical techniques adopted by the EPA under the Federal act or methods approved by the Department. EPA Method 334.0 states continuous analyzers must pass a 14-day IDC and routine verifications must be conducted at least weekly. Cooperstown’s failure to comply with the requirements of EPA Method 334.0, violates the Safe Drinking Water Act and its Regulations.

The Department reviewed Cooperstown’s operational plans during the inspection. The Operation and Maintenance Plan (“O&M Plan”) was outdated and insufficient for the current requirements of a public water system. In accordance with 25 Pa. Code § 109.702, the operation and maintenance plan must generally conform to the guidelines contained in the Department’s *Public Water Supply Manual* and the community water supplier is required to review and update the operation and maintenance plan as necessary to reflect changes in the operation or maintenance of the water system. Specifically, the

Messrs. Rhodes

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October 20, 2023

O&M Plan for the Cooperstown water system are part of an umbrella plan that includes the O&M Plans for Sugar creek Water Company, Venango Water Company, and Plumer Water Company. Elements and assets from all four of these water systems are included in the Cooperstown O&M Plan. The Cooperstown O&M Plan does not provide details of provisional backup plans, which would become necessary if, for any reason, an emergency is declared at another water system simultaneously. Cooperstown's failure to update the O&M Plan violates the Safe Drinking Water Act and its Regulations.

Further, the Department reviewed the Emergency Response Plan ("ERP") during the inspection. The ERP is outdated and insufficient for the current requirements of a public water system. In accordance with 25 Pa. Code § 109.707(c), the community water supplier shall review and update the ERP at least annually and as necessary to reflect changes to communication procedures and contact information under subsection 109.707(a)(2). Additionally, the community water supplier shall record the date of update on the plan. Specifically, information contained in the ERP is not up-to-date as certain individuals remain listed, the plan does not account for the possible contamination or destruction of the singular well source, multiple items/contact information are crossed out/written over, and the written responses to multiple circumstantial items state "call D.E.P." Cooperstown's failure to update the ERP violates the Safe Drinking Water Act and its Regulations.

In addition to the violations noted during the inspection of June 14, 2023, Cooperstown has chronically failed to monitor Entry Point 135 for regulated contaminants. In accordance with 25 Pa. Code § 109.303(4), samples for determining compliance with maximum contaminant levels ("MCLs") shall be taken at each entry point to the distribution system which is representative of each source after an application of treatment and during periods of normal operating conditions. Specifically, samples for organic contaminants as listed by the EPA under 40 CFR 141.61, inorganic contaminants as listed by the EPA under 40 CFR 141.62, radionuclide contaminants as listed by the EPA under 40 CFR 141.66, and unregulated contaminants as required by the special monitoring requirements under 25 Pa. Code § 109.302(f) should be taken. Cooperstown's failure to conduct routine monitoring of regulated contaminants at Entry Point 135 violates the Safe Drinking Water Act and its Regulations.

In accordance with 25 Pa. Code § 109.703(a), public water system facilities approved by written permit from the Department shall be operated in a manner consistent with the terms and conditions of the permit to achieve the level of treatment for which the facilities were designed. In accordance with 25 Pa. Code § 109.1302(a)(4), community groundwater systems are required to provide continuous disinfection under 25 Pa. Code § 109.202(c)(3) (relating to State MCLs, MRDLs and treatment technique requirements) and in addition shall provide at least 4-log treatment of viruses prior to the first customer.

The special conditions of Permit No. 6188503-MA2 (issued March 29, 2012) state the instantaneous maximum flow through Entry Point 134 is restricted to 50 gallons per minute and the maximum instantaneous flow through Entry Point 135 is restricted to 20 gallons per minute to ensure 4-log treatment of viruses through each entry point. During the inspection, it was observed that no flow restriction is installed to ensure the instantaneous maximum flow through the individual entry point does not exceed the permitted rate. Accordingly, the Department requests that Cooperstown provide to the Department any and all information regarding measurements of the instantaneous maximum flow through both Entry Point 134 and Entry Point to 135.

Messrs. Rhodes

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October 20, 2023

The Department further requests that Cooperstown:

1. Provide a corrective action plan and implementation schedule that will ensure 4-log treatment of viruses is continuously met at Entry Point 134 and at Entry Point 135. For example, if Cooperstown decides to install a flow restrictor for each entry point, the corrective action plan will identify a proposed model of flow restrictor to be installed, where the flow restrictor will be installed, and when the flow restrictor will be operational;
2. Update the existing Emergency Response Plan to reflect changes to communications procedures and contact information. Additionally, one of the specific scenarios outlined in the Emergency Response Plan should include contamination of the source, and should identify both short-term and long-term measures that will be implemented to ensure safe and potable water is continuously supplied to users of the Cooperstown public water system;
3. Complete an IDC for both of the continuous chlorine analyzers installed at the Cooperstown water system, then submit the following information to the Department, in writing: 1) the EPA Method 334.0 Record of Initial Demonstration of Capability for On-Line Analyzers (Form 3900-FM-BSDW0561) for each analyzer; 2) the EPA Method 334.0 Record of Comparative Grab Samples for On-Line Chlorine Analyzers (Form 3900-FM-BSDW0548) for each analyzer; 3) the existing EPA Method 334.0 Record of Initial Calibration Verification for Handheld & Benchtop Analyzers (Form 3900-FM-BSDW0545) that was performed on the benchtop analyzer used for comparing the continuous chlorine analyzers; and 4) the EPA Method 334.0 Record of Analyst Initial Demonstration of Capability (Form 3900-FM-BSDW0544) for all operators at Cooperstown;
4. Begin and continuing monthly submit the EPA Method 334.0 Record of Comparative Grab Samples for On-Line Chlorine Analyzers (Form 3900-FM-BSDW0548) for each analyzer for the previous month (e.g. the December 1, 2023 report would include the comparative grab samples for the month of November 2023 for each analyzer);
5. Update the existing O&M Plan to include detailed reports on the current age and make, model, or material of every piece of equipment and piece of general infrastructure associated with the Cooperstown water system. Include in the report: repair logs; written operating procedures for repairing main distribution lines/equipment; estimated cost of replacement of crucial equipment; and provisional asset management reports for materials/equipment that is shared between water systems; and
6. Begin initial quarterly monitoring of Entry Point 135 for each of the regulated contaminants and continue to conduct quarterly monitoring until otherwise notified by the Department. Specifically, the monitoring should include the twelve (12) inorganic chemicals, the twenty-one (21) volatile synthetic organic chemicals, the thirty (30) synthetic organic chemicals, and the four (4) radiological chemicals.

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

Messrs. Rhodes

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October 20, 2023

If you have any questions concerning this matter, please contact Carly Rupert, Sanitarian, via electronic mail at carrupert@pa.gov or by telephone at 814.332.6613 or me by telephone at 814.332.6304 or via electronic mail at jblashaw@pa.gov.

Sincerely,



Justin T. Blashaw
Environmental Group Manager
Safe Drinking Water Program

Enclosures (June 26, 2023 inspection report)

cc: Desiree Rhodes, Executrix of the Estate of Blaine E. Rhodes
D. Screven, PUC (pdf only)
J. Van Zant, PUC (pdf only)
P. Zander, PUC (pdf only)
P. Cicero, Office of Consumer Advocate (pdf only)
C. Hoover, Office of Consumer Advocate (pdf only)
C. Rupert thru R. Kirby (pdf only)
J. Blashaw (pdf only)
File

JTB:CJR:



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF SAFE DRINKING WATER

WATER SUPPLY INSPECTION REPORT

Facility Name COOPERSTOWN WATER COMPANY		PWSID No 6610017	Inspection Date 2023-06-14
Facility Location ELECTRA LANE/MAPLE DRIVE COOPERSTOWN, PA 16343		County Venango	Municipality Cooperstown
Responsible Officials Name BLAINE E RHODES		Telephone: (814) 676-2730	
		System Type: Community	Population: 360
Certified Operator Name RHODES KEVIN S		Field Order Number: ----	
		Issue Date (mm/dd/yy): ----	

Person(s) Interviewed

Name: Kevin Rhodes	Title: Operator
Name: Randy Rhodes	Title: Operator

eFACTS info

Inspection ID: 3575977	Inspection Type RTNC
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Violations

C2B - 25 PA Code, §109.304(a)

6 - MONITORING AND REPORTING

DS:001 - COOPERSTOWN BOROUGH

METHOD 334.0

There is no documentation to demonstrate that each on-line instrument used for analysis of chlorine for compliance monitoring or to obtain results needed to calculate log inactivation has passed the instrument IDC in accordance with EPA Method 334.0.

Remarks: CI17 units used to monitor the alternate entry points for both Entry Point 134 (Low) and 135 (High) have not been subjected to an initial demonstration of capability (IDC).

Violations continued

- 2 -

C2B - 25 PA Code, §109.304(a)

6 - MONITORING AND REPORTING

DS:001 - COOPERSTOWN BOROUGH

METHOD 334.0

There is no documentation for the most recent 12 months to demonstrate that routine weekly comparative grab sampling analysis has been completed in accordance with EPA Method 334.0 for each on-line instrument used for analysis of chlorine for compliance monitoring or to obtain results needed to calculate log inactivation.

Remarks: There is no documentation for the most recent 12 months to demonstrate that routine weekly comparative grab sampling analysis has been completed for either unit.

C7 - 25 PA Code, §109.703(a)

2J - CHLORINE DISINFECTION

WTP:302 - TREATMENT PLT HIGH

PERMIT CONDITIONS

The water system is not complying with all special permit conditions relating to chlorine disinfection.

Remarks: The water system has no flow restriction in place except for the pumping capacity of the well pumps. Flow through the disinfection segment for the High Service portion is required to be restricted to 20gpm to fulfill 4log requirements.

C7 - 25 PA Code, §109.703(a)

2J - CHLORINE DISINFECTION

WTP:300 - TREATMENT PLT LOW

PERMIT CONDITIONS

The water system is not complying with all special permit conditions relating to chlorine disinfection.

Remarks: The water system has no flow restriction in place except for the pumping capacity of the well pumps. Flow through the disinfection segment for the Low Service portion is required to be restricted to 50 gpm to fulfill 4log requirements.

Minor Deficiencies

Minor Deficiencies continued

- 3 -

1A - GROUNDWATER AND GUDI SOURCES

WELLHEAD

SRC-003-WELL #4

Protective barriers are not present around the well casing, leaving the source vulnerable to damage.

Remarks: Well is 20 feet away from roadway

1A - GROUNDWATER AND GUDI SOURCES

SOURCE WATER QUANTITY

SRC-003-WELL #4

The source is not metered and/or water production is not recorded.

Remarks: No raw meter installed

2A - TREATMENT PLANT AND GENERAL CHEMICAL ADDITION

GENERAL INFORMATION

WTP-300-TREATMENT PLT LOW

The treatment plant is not clean and/or in good repair.

Remarks: Treatment plant has artifact injection points, overly oxidized check valves and exposed wiring throughout.

2A - TREATMENT PLANT AND GENERAL CHEMICAL ADDITION

GENERAL INFORMATION

WTP-300-TREATMENT PLT LOW

Plant piping is not color-coded and/or labeled to differentiate between finished, raw and waste water flow and direction.

Remarks: Plant piping is not coded/labeled based on two pressure zones. No directional flow indicators present.

2A - TREATMENT PLANT AND GENERAL CHEMICAL ADDITION

CHEMICALS AND EQUIPMENT

WTP-300-TREATMENT PLT LOW

Chemical container lids do not fit tightly, which does not meet the design standards set forth in the Public Water Supply Manual.

Remarks: Chemical container lids were found lying on top of solution tank

2A - TREATMENT PLANT AND GENERAL CHEMICAL ADDITION

CHEMICALS AND EQUIPMENT

WTP-300-TREATMENT PLT LOW

Chemical day tanks have capacity for more than 30 hours of storage, which does not meet the design standards set forth in the Public Water Supply Manual.

Remarks: Chemical day tanks are estimated to last one week

2A - TREATMENT PLANT AND GENERAL CHEMICAL ADDITION

CHEMICALS AND EQUIPMENT

WTP-300-TREATMENT PLT LOW

The speed and stroke settings on the diaphragm pumps are not set within 20% to 90% of max settings.

Remarks: Both pumps are set to 100% speed capacity, stroke is set to half capacity.

2A - TREATMENT PLANT AND GENERAL CHEMICAL ADDITION

GENERAL INFORMATION

WTP-302-TREATMENT PLT HIGH

The treatment plant is not clean and/or in good repair.

Remarks: Treatment plant has artifact injection points, overly oxidized check valves and exposed wiring throughout.

2A - TREATMENT PLANT AND GENERAL CHEMICAL ADDITION

GENERAL INFORMATION

WTP-302-TREATMENT PLT HIGH

Plant piping is not color-coded and/or labeled to differentiate between finished, raw and waste water flow and direction.

Remarks: Plant piping is not coded based on two pressure zones.

2A - TREATMENT PLANT AND GENERAL CHEMICAL ADDITION

CHEMICALS AND EQUIPMENT

WTP-302-TREATMENT PLT HIGH

Chemical container lids do not fit tightly, which does not meet the design standards set forth in the Public Water Supply Manual.

Remarks: Chemical container lids were found lying on top of solution tank

2A - TREATMENT PLANT AND GENERAL CHEMICAL ADDITION

CHEMICALS AND EQUIPMENT

WTP-302-TREATMENT PLT HIGH

Chemical day tanks have capacity for more than 30 hours of storage, which does not meet the design standards set forth in the Public Water Supply Manual.

Remarks: Chemical day tanks are estimated to last one week

2A - TREATMENT PLANT AND GENERAL CHEMICAL ADDITION

CHEMICALS AND EQUIPMENT

WTP-302-TREATMENT PLT HIGH

The speed and stroke settings on the diaphragm pumps are not set within 20% to 90% of max settings.

Remarks: Both pumps are set to 100% capacity

3 - DISTRIBUTION SYSTEM

VALVES

DS-001-COOPERSTOWN BOROUGH

Remarks: There are no written procedures for isolating portions of the system and repairing mains.

4 - WATER STORAGE

CHLORINE CONTACT OR PRESSURE TANK

ST-003-LOW CONTACT PIPE

The chlorine contact tank does not have a sample tap at the tank's outlet to allow for sampling of the water leaving the tank.

Remarks: The chlorine contact time is achieved through 600 feet of 6 inch transmission line. A sample tap is installed before piping but no tap is installed at the outlet of the pipe.

4 - WATER STORAGE

CHLORINE CONTACT OR PRESSURE TANK

ST-004-HIGH CONTACT PIPE

The chlorine contact tank does not have a sample tap at the tank's outlet to allow for sampling of the water leaving the tank.

Remarks: The chlorine contact time is achieved through 1600 feet of 4 inch transmission line. A sample tap is installed before piping but no tap is installed at the outlet of the pipe.

4 - WATER STORAGE

STORAGE STRUCTURE

ST-008-HIGHLAND PS TANK #1

Remarks: The water system does not inspect the interior of the storage tank. AWWA Standard M42 recommends that storage tanks are cleaned and inspected no less than once every five years.

Minor Deficiencies continued

- 7 -

4 - WATER STORAGE

STORAGE OPERATION

ST-008-HIGHLAND PS TANK #1

Remarks: Storage tank valves are not exercised to ensure proper operation.

4 - WATER STORAGE

STORAGE STRUCTURE

ST-009-HIGHLAND PS TANK #2

Remarks: The water system does not inspect the interior of the storage tank. AWWA Standard M42 recommends that storage tanks are cleaned and inspected no less than once every five years.

4 - WATER STORAGE

STORAGE OPERATION

ST-009-HIGHLAND PS TANK #2

Remarks: Storage tank valves are not exercised to ensure proper operation.

5 - PUMPS AND CONTROLS

CONTROLS AND ALARMS

PST-001-HIGHLAND PS

Remarks: A pump failure alarm system is not present, which does not meet the design standards set forth in the Public Water Supply Manual.

6 - MONITORING AND REPORTING

METHOD 334.0

DS-001-COOPERSTOWN BOROUGH

Remarks: The injection well to which the on-line chlorine analyzer's waste stream discharges is not registered with the EPA Underground Injection Control (UIC) Program.

6 - MONITORING AND REPORTING

COMPLIANCE MONITORING: ENTRY POINT SAMPLING

DS-001-COOPERSTOWN BOROUGH

Remarks: Each entry point tap is not labeled.

8 - SYSTEM MANAGEMENT

FINANCIAL & ASSET MANAGEMENT

DS-001-COOPERSTOWN BOROUGH

Remarks: The water system does not prepare an annual operating budget.

8 - SYSTEM MANAGEMENT

FINANCIAL & ASSET MANAGEMENT

DS-001-COOPERSTOWN BOROUGH

Remarks: The water system does not prepare an annual capital budget.

8 - SYSTEM MANAGEMENT

FINANCIAL & ASSET MANAGEMENT

DS-001-COOPERSTOWN BOROUGH

Remarks: In the most recent fiscal year, system operating costs exceeded revenues.

8 - SYSTEM MANAGEMENT

FINANCIAL & ASSET MANAGEMENT

DS-001-COOPERSTOWN BOROUGH

Remarks: The water system does not have an Asset Management Plan.

Minor Deficiencies continued

- 9 -

8 - SYSTEM MANAGEMENT

PLANS, MAPS, AND REPORTS

DS-001-COOPERSTOWN BOROUGH

The water system does not have a Lead and Copper Rule Sample Siting Plan that contains all required elements.

Remarks: The water system has sample site locations for LCR monitoring but does not have a Department approved Lead and Copper Rule Sample Siting Plan

Operator Certification

CERTIFIED OPERATOR OVERVIEW

The names and/or contact information of the available operators are not posted in the treatment plant.

Remarks: The names and/or contact information of the available operators are not posted in the treatment plant.

General Comments

Carly Rupert met with Kevin and Randy Rhodes, operators, for a routine full inspection of the Cooperstown Water Company public water system.

The following observations were noted:

The system currently sources water from a single well source; operators have not noted any issues with production, however, it is recommended to add another source for redundancy and ensure a constant source of water; please contact your sanitarian before any modifying or adding to any part of the system.

Entry Point taps 134 (Low Service) and 135 (High Service) are not located after the disinfection segment. The current configuration has 'entry point' samples taken in the treatment plant, before the contact piping for chlorine contact time. There is currently no taps installed after the contact segment save for the service connections. This was noted in the 4log permit for this system and is currently acceptable, but please consider relocating all entry point sampling to a point after the disinfection segment.

No flow restriction is installed in either disinfection segment. As stated in Operations Permit number 6188503-MA2, the Low Service Zone has a peak flow rate of 50 gpm and the High Service Zone has a peak flow rate of 20 gpm; this has been noted as a violation. Please install appropriate flow restriction on both disinfection segments.

The Hach CI17 continuous analyzers currently used to record compliance samples has not been subject to the required instrument Initial Demonstration of Capability (IDC) in accordance with EPA Method 334.0. This has been noted as a violation; please complete the required online analyzer IDC paperwork to bring the units into compliance with EPA Method 334.0.

A physical list of monitoring requirements dated June 13, 2023 and a record maintenance schedule was given to the system along with a business card with Carly Rupert's contact information-(814.332.6613, carrupert@pa.gov). These monitoring requirements, provided via DWRS and mailed to the system annually, do not negate any special permit condition sampling included in the permits issued to the system.

In the event of any future changes to the current configuration of the public drinking water system, please contact the department and receive written approval before any modifications are made.

Please confirm receipt of this report with an email to carrupert@pa.gov.

Field Samples continued

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Field Samples

Subfacility: SRC-003-WELL #4	
Location Description Well #4 Raw Tap	
Sample Number	Parameter Result Iron (mg/l): 0.0
Date Time 06/14/2023 10:55:00 AM	SAC#/Suite/Description
Subfacility: SRC-003-WELL #4	
Location Description Well #4 Raw Tap	
Sample Number	Parameter Result Manganese (mg/l): 0.019
Date Time 06/14/2023 10:55:00 AM	SAC#/Suite/Description
Subfacility: SRC-003-WELL #4	
Location Description Well #4 Raw Tap	
Sample Number	Parameter Result pH (pH units): 6.58
Date Time 06/14/2023 10:55:00 AM	SAC#/Suite/Description
Subfacility: SRC-003-WELL #4	
Location Description Well #4 Raw Tap	
Sample Number	Parameter Result Temperature (Deg C): 13.4
Date Time 06/14/2023 10:55:00 AM	SAC#/Suite/Description

Field Samples continued

- 12 -

Subfacility: SRC-003-WELL #4	
Location Description Well #4 Raw Tap (Alkalinity)	
Sample Number	Parameter Result Other: 110.0
Date Time 06/14/2023 10:55:00 AM	SAC#/Suite/Description
Subfacility: WTP-300-TREATMENT PLT LOW	
Location Description Tap before contact segment in Low Service	
Sample Number	Parameter Result Chlorine, Free (mg/l): 2.24
Date Time 06/14/2023 10:55:00 AM	SAC#/Suite/Description
Subfacility: WTP-300-TREATMENT PLT LOW	
Location Description Tap before contact segment in Low Service	
Sample Number	Parameter Result Chlorine, Total (mg/l): 2.25
Date Time 06/14/2023 10:55:00 AM	SAC#/Suite/Description
Subfacility: WTP-300-TREATMENT PLT LOW	
Location Description Tap before contact segment in Low Service	
Sample Number	Parameter Result pH (pH units): 6.56
Date Time 06/14/2023 10:55:00 AM	SAC#/Suite/Description

Field Samples continued

- 13 -

Subfacility: WTP-300-TREATMENT PLT LOW	
Location Description Tap before contact segment in Low Service	
Sample Number	Parameter Result Temperature (Deg C): 12.9
Date Time 06/14/2023 10:55:00 AM	SAC#/Suite/Description
Subfacility: WTP-301-TREATMENT PLANT 301	
Location Description Tap before contact segment in High Service	
Sample Number	Parameter Result Chlorine, Free (mg/l): 1.8
Date Time 06/14/2023 10:55:00 AM	SAC#/Suite/Description
Subfacility: WTP-301-TREATMENT PLANT 301	
Location Description Tap before contact segment in High Service	
Sample Number	Parameter Result Chlorine, Total (mg/l): 1.75
Date Time 06/14/2023 10:55:00 AM	SAC#/Suite/Description
Subfacility: WTP-301-TREATMENT PLANT 301	
Location Description Tap before contact segment in High Service	
Sample Number	Parameter Result pH (pH units): 6.51
Date Time 06/14/2023 10:55:00 AM	SAC#/Suite/Description

Field Samples continued

- 14 -

Subfacility: WTP-301-TREATMENT PLANT 301	
Location Description Tap before contact segment in High Service	
Sample Number	Parameter Result Temperature (Deg C): 13.3
Date Time 06/14/2023 10:55:00 AM	SAC#/Suite/Description
Subfacility: DS-001-COOPERSTOWN BOROUGH	
Location Description Sample Tap 801	
Sample Number	Parameter Result Chlorine, Free (mg/l): 2.18
Date Time 06/14/2023 10:55:00 AM	SAC#/Suite/Description
Subfacility: DS-001-COOPERSTOWN BOROUGH	
Location Description Sample Tap 801	
Sample Number	Parameter Result Chlorine, Total (mg/l): 2.12
Date Time 06/14/2023 10:55:00 AM	SAC#/Suite/Description
Subfacility: PST-001-HIGHLAND PS	
Location Description Sample Tap 803	
Sample Number	Parameter Result Chlorine, Free (mg/l): 2.45
Date Time 06/14/2023 11:55:00 AM	SAC#/Suite/Description

Field Samples continued

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Subfacility: PST-001-HIGHLAND PS	
Location Description Sample Tap 803	
Sample Number	Parameter Result Chlorine, Total (mg/l): 2.21
Date Time 06/14/2023 11:55:00 AM	SAC#/Suite/Description

Signatures

Received by(Print Name): Randy Rhodes	Unable To Receive Signature: Report completed in office
Investigator (Print Name): CARLY JANELLE RUPERT	

I&E
EXHIBIT I



October 20, 2023

NOTICE OF VIOLATION

CERTIFIED MAIL NO.: 9489 0090 0027 6506 3080

Mr. Randall L. Rhodes, Secretary
Cooperstown Water Company
P.O. Box 397
Reno, PA 16343

CERTIFIED MAIL NO.: 9489 0090 0027 6506 3080 66

Mr. Kevin S. Rhodes, Treasurer
Cooperstown Water Company
P.O. Box 397
Reno, PA 16343

Re: Safe Drinking Water Violations
Sugar creek Water Company
PWSID No. 6610029
Sugar creek Borough, Venango County

Dear Messrs. Rhodes:

On June 27, 2023, the Department of Environmental Protection ("Department") conducted an inspection of the Sugar creek Water Company ("Sugar creek") public water system. A copy of the Department's inspection report is attached for your review. During the inspection, multiple violations of the Safe Drinking Water Act and its Regulations were observed and are outlined below.

During the inspection, it was observed that Sugar creek is failing to follow approved methods for sampling and analysis. Specifically, the continuous analyzer used for compliance monitoring has not passed an Initial Demonstration of Capability ("IDC"). In accordance with 25 Pa. Code § 109.304(a), sampling and analysis shall be performed in accordance with analytical techniques adopted by the EPA under the Federal act or methods approved by the Department. EPA Method 334.0 states continuous analyzers must pass a 14-day IDC and routine verifications must be conducted at least weekly. Sugar creek's failure to comply with EPA Method 334.0, violates the Safe Drinking Water Act and its Regulations.

The Department reviewed Sugar creek's operational plans during the inspection. The Operation and Maintenance Plan ("O&M Plan") was outdated and insufficient for the current requirements of a public water system. In accordance with 25 Pa. Code § 109.702, the operation and maintenance plan must generally conform to the guidelines contained in the Department's *Public Water Supply Manual* and the community water supplier is required to review and update the operation and maintenance plan as necessary to reflect changes in the operation or maintenance of the water system. Specifically, the

Messrs. Rhodes

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October 20, 2023

O&M Plan for the Sugarcreek water system are part of an umbrella plan that included the O&M Plans for Cooperstown Water Company, Venango Water Company, and Plumber Water Company. Elements and assets from all four of these systems were included in the Sugarcreek O&M Plan. The Sugarcreek O&M Plan does not provide details of provisional backup plans, which would become necessary if, for any reason, an emergency is declared at another water system simultaneously. Sugarcreek's failure to update the O&M Plan violates the Safe Drinking Water Act and its Regulations.

Further, the Department reviewed the Emergency Response Plan ("ERP") during the inspection. The ERP is outdated and insufficient for the current requirements of a public water system. In accordance with 25 Pa. Code § 109.707(c), the community water supplier shall review and update the ERP at least annually and as necessary to reflect changes to communication procedures and contact information under subsection 109.707(a)(2). Additionally, the community water supplier shall record the date of update on the plan. Specifically, information contained in the ERP was not up-to-date as certain individuals remain listed, the plan does not account for the possible contamination or destruction of the singular well source, multiple items/contact information were crossed out/written over, and the written responses to multiple circumstantial items being "call D.E.P." Sugarcreek's failure to update the ERP violates the Safe Drinking Water Act and its Regulations.

In accordance with 25 Pa. Code § 109.703(a), public water system facilities approved by written permit from the Department shall be operated in a manner consistent with the terms and conditions of the permit to achieve the level of treatment for which the facilities were designed. In accordance with 25 Pa. Code § 109.1302(a)(4), community groundwater systems are required to provide continuous disinfection under § 109.202(c)(3) (relating to State MCLs, MRDLs and treatment technique requirements) and in addition shall provide at least 4-log treatment of viruses prior to the first customer.

The special condition of Permit No. 363W12-MA1 (issued February 9, 2012) states the instantaneous maximum flow through Entry Point 129 is restricted to 35 gallons per minute. During the inspection, it was observed that no flow restriction is installed to ensure the instantaneous maximum flow through the entry point does not exceed the permitted rate. Accordingly, the Department requests that Sugarcreek provide to the Department any and all information regarding measurements of the instantaneous maximum flow through Entry Point 129.

The Department further requests that Sugarcreek:

1. Provide a corrective action plan and implementation schedule that will ensure 4-log treatment of viruses is continuously met at Entry Point 129. For example, if Sugarcreek decides to install a flow restrictor before the entry point, the corrective action plan would identify a proposed model of flow restrictor to be installed, where the flow restrictor will be installed, and when the flow restrictor will be operational;
2. Update the existing Emergency Response Plan to reflect changes to communications procedures and contact information. Additionally, one of the specific scenarios outlined in the Emergency Response Plan shall include contamination of the source, then both short-term and long-term measures that are anticipated to be implemented to ensure safe and potable water is continuously supplied to users of the Sugarcreek Water public water system;
3. Complete an IDC for the continuous chlorine analyzer installed at the Sugarcreek water system, then submit the following information to the Department, in writing: 1) the EPA Method 334.0 Record of Initial Demonstration of Capability for On-Line Analyzers (Form 3900-FM-

Messrs. Rhodes

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October 20, 2023

BSDW0561) for the analyzer; 2) the EPA Method 334.0 Record of Comparative Grab Samples for On-Line Chlorine Analyzers (Form 3900-FM-BSDW0548) for the analyzer; 3) the existing EPA Method 334.0 Record of Initial Calibration Verification for Handheld & Benchtop Analyzers (Form 3900-FM-BSDW0545) that was performed on the benchtop analyzer used for comparing the continuous chlorine analyzer; and 4) the EPA Method 334.0 Record of Analyst Initial Demonstration of Capability (Form 3900-FM-BSDW0544) for all operators at Sugarcreek;

4. Begin and continuing monthly submit the EPA Method 334.0 Record of Comparative Grab Samples for On-Line Chlorine Analyzers (Form 3900-FM-BSDW0548) for the analyzer for the previous month (e.g. the December 1, 2023 report would include the comparative grab samples for the month of November 2023 for each analyzer); and
5. Update the existing O&M Plan to include detailed reports on the current age and make, model, or material of every piece of equipment and piece of general infrastructure associated with the Sugarcreek water system. Included in the report should be repair logs, written operating procedures for repairing main distribution lines/equipment, estimated cost of replacement of crucial equipment and provisional asset management reports for materials/equipment that is shared between water systems.

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

If you have any questions concerning this matter, please contact Carly Rupert, Sanitarian, via electronic mail at carrupert@pa.gov or by telephone at 814.332.6613 or me by telephone at 814.332.6304 or via electronic mail at jblashaw@pa.gov.

Sincerely,



Justin T. Blashaw
Environmental Group Manager
Safe Drinking Water Program

Enclosures (June 27, 2023 inspection report)

cc: Desiree Rhodes, Executrix of the Estate of Blaine E. Rhodes
D. Screven, PUC (pdf only)
J. Van Zant, PUC (pdf only)
P. Zander, PUC (pdf only)
P. Cicero, Office of Consumer Advocate (pdf only)
C. Hoover, Office of Consumer Advocate (pdf only)
C. Rupert thru R. Kirby (pdf only)
J. Blashaw (pdf only)
File

JTB:CJR:



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF SAFE DRINKING WATER

WATER SUPPLY INSPECTION REPORT

Facility Name SUGARCREEK WATER CO		PWSID No 6610029	Inspection Date 2023-06-27
Facility Location SUGARCREEK DRIVE FRANKLIN, PA 16323		County Venango	Municipality Sugarcreek
Responsible Officials Name BLAINE E RHODES		Telephone: (814) 676-2730	
		System Type: Community	Population: 205
Certified Operator Name RHODES KEVIN S		Field Order Number: ----	
		Issue Date (mm/dd/yy): ----	

Person(s) Interviewed

Name: Kevin Rhodes	Title: Operator
Name: Randy Rhodes	Title: Operator

eFACTS info

Inspection ID: 3576081	Inspection Type RTNC
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Violations

C2B - 25 PA Code, §109.304(a)

6 - MONITORING AND REPORTING

DS:001 - SUGARCREEK BOROUGH

METHOD 334.0

There is no documentation to demonstrate that each on-line instrument used for analysis of chlorine for compliance monitoring or to obtain results needed to calculate log inactivation has passed the instrument IDC in accordance with EPA Method 334.0.

Remarks: There is no documentation to demonstrate that each on-line instrument used for analysis of chlorine for compliance monitoring.

Violations continued

- 2 -

C7 - 25 PA Code, §109.703(a)

2J - CHLORINE DISINFECTION

WTP:329 - SUGARCREEK

PERMIT CONDITIONS

The water system is not complying with all special permit conditions relating to chlorine disinfection.

Remarks: The water system has no flow restriction in place except for the pumping capacity of the well pump(s). Flow through the disinfection segment for the Sugar creek Water Co. is required to be restricted to 35gpm to fulfill 4log requirements.

Minor Deficiencies

1A - GROUNDWATER AND GUDI SOURCES

WELLHEAD

SRC-002-SUGARCREEK WELL#1

The exposed portions of the well casing are not in good condition.

Remarks: Casing is heavily corroded

1A - GROUNDWATER AND GUDI SOURCES

WELLHEAD

SRC-002-SUGARCREEK WELL#1

Remarks: The well is constructed in a pit, which does not meet the design standards set forth in the Public Water Supply Manual.

1A - GROUNDWATER AND GUDI SOURCES

WELLHEAD

SRC-002-SUGARCREEK WELL#1

Remarks: The well pit cover is not water-tight.

Minor Deficiencies continued

- 3 -

1A - GROUNDWATER AND GUDI SOURCES

SOURCE WATER QUANTITY

SRC-002-SUGARCREEK WELL#1

Remarks: The source is not metered and/or water production is not recorded.

2A - TREATMENT PLANT AND GENERAL CHEMICAL ADDITION

GENERAL INFORMATION

WTP-329-SUGARCREEK

The treatment plant is not clean and/or in good repair.

Remarks: Corrosion throughout plant and exposed wires

2A - TREATMENT PLANT AND GENERAL CHEMICAL ADDITION

GENERAL INFORMATION

WTP-329-SUGARCREEK

Plant piping is not color-coded and/or labeled to differentiate between finished, raw and waste water flow and direction.

Remarks: No directional labels and confusing pipe layout

2A - TREATMENT PLANT AND GENERAL CHEMICAL ADDITION

CHEMICALS AND EQUIPMENT

WTP-329-SUGARCREEK

Chemical container lids do not fit tightly, which does not meet the design standards set forth in the Public Water Supply Manual.

Remarks: Chemical containers have lids that sit on chemical tanks

Minor Deficiencies continued

- 4 -

2A - TREATMENT PLANT AND GENERAL CHEMICAL ADDITION

CHEMICALS AND EQUIPMENT

WTP-329-SUGARCREEK

There is no method to measure the volume in the day tanks, which does not meet the design standards set forth in the Public Water Supply Manual.

Remarks: There is no method to measure the volume in the day tanks

2A - TREATMENT PLANT AND GENERAL CHEMICAL ADDITION

CHEMICALS AND EQUIPMENT

WTP-329-SUGARCREEK

Chemical day tanks have capacity for more than 30 hours of storage, which does not meet the design standards set forth in the Public Water Supply Manual.

Remarks: Chemical day tanks have capacity for about 1 week of production.

2A - TREATMENT PLANT AND GENERAL CHEMICAL ADDITION

CHEMICALS AND EQUIPMENT

WTP-329-SUGARCREEK

The speed and stroke settings on the diaphragm pumps are not set within 20% to 90% of max settings.

Remarks: The speed and stroke settings on all diaphragm pumps are set to 100% stroke

2A - TREATMENT PLANT AND GENERAL CHEMICAL ADDITION

CHEMICALS AND EQUIPMENT

WTP-329-SUGARCREEK

The treatment materials and/or equipment which come in contact with the water or drinking water treatment chemicals do not meet the requirements of ANSI/NSF Standard 61. This does not meet the design standards set forth in the Public Water Supply Manual.

Remarks: The system is using repurposed, clear plastic food containers (pretzel containers) as day tanks for both chlorine and phosphate chemicals.

Minor Deficiencies continued

- 5 -

2A - TREATMENT PLANT AND GENERAL CHEMICAL ADDITION

CHEMICALS AND EQUIPMENT

WTP-329-SUGARCREEK

Remarks: Chemical injection points are not labeled.

3 - DISTRIBUTION SYSTEM

VALVES

DS-001-SUGARCREEK BOROUGH

Remarks: There are no written procedures for isolating portions of the system and repairing mains.

4 - WATER STORAGE

GENERAL GROUNDS

ST-005-TANK 3

The grounds surrounding the storage tank are not secure from unauthorized access. The grounds surrounding the storage tank should be secured or monitored from unauthorized access.

Remarks: No fencing around tank, tank is out of public view in the woods, uphill.

4 - WATER STORAGE

STORAGE STRUCTURE

ST-005-TANK 3

Remarks: The water system does not inspect the interior of the storage tank. AWWA Standard M42 recommends that storage tanks are cleaned and inspected no less than once every five years.

8 - SYSTEM MANAGEMENT

FINANCIAL & ASSET MANAGEMENT

DS-001-SUGARCREEK BOROUGH

Remarks: The water system does not prepare an annual operating budget.

Minor Deficiencies continued

- 6 -

<p>8 - SYSTEM MANAGEMENT</p> <p>FINANCIAL & ASSET MANAGEMENT</p> <p>DS-001-SUGARCREEK BOROUGH</p> <p>Remarks: The water system does not prepare an annual capital budget.</p>
<p>8 - SYSTEM MANAGEMENT</p> <p>FINANCIAL & ASSET MANAGEMENT</p> <p>DS-001-SUGARCREEK BOROUGH</p> <p>Remarks: In the most recent fiscal year, system operating costs exceeded revenues.</p>
<p>8 - SYSTEM MANAGEMENT</p> <p>FINANCIAL & ASSET MANAGEMENT</p> <p>DS-001-SUGARCREEK BOROUGH</p> <p>Remarks: The water system does not have an Asset Management Plan.</p>
<p>8 - SYSTEM MANAGEMENT</p> <p>PLANS, MAPS, AND REPORTS</p> <p>DS-001-SUGARCREEK BOROUGH</p> <p>The water system does not have a Lead and Copper Rule Sample Siting Plan that contains all required elements.</p> <p>Remarks: The water system only has sample sites for Lead and Copper Rule Sample Siting Plan. No Department forms have been completed.</p>

Operator Certification

<p>CERTIFIED OPERATOR OVERVIEW</p> <p>The names and/or contact information of the available operators are not posted in the treatment plant.</p> <p>Remarks: The names and/or contact information of the available operators are not posted in the treatment plant.</p>
--

General Comments

Carly Rupert met with Kevin and Randy Rhodes, operators, for a routine full inspection of the Sugarcreek Water Company public water system.

The following observations were noted:

The casing of Well 002 is heavily corroded and the electrical conduit for the well terminates one foot below the treatment plant ceiling. Please consider completely sealing the electrical conduit casing and replacing the casing of the well.

The system currently sources water from a single well source; operators have not noted any issues with production, however, it is recommended to add another source for redundancy and ensure a constant source of water; please contact your sanitarian before any modifying or adding to any part of the system.

No flow restriction is installed the disinfection segment. As stated in Operations Permit number 363W12-MA1, the treatment plant has a peak flow rate of 35 gpm; this has been noted as a violation. Please install appropriate flow restriction on the disinfection segment.

The Hach CI17 continuous analyzer currently used to record compliance samples has not been subject to the required instrument Initial Demonstration of Capability (IDC) in accordance with EPA Method 334.0. This has been noted as a violation; please complete the required online analyzer IDC paperwork to bring the unit into compliance with EPA Method 334.0.

A physical list of monitoring requirements dated June 13, 2023 and a record maintenance schedule was given to the system along with a business card with Carly Rupert's contact information-(814.332.6613, carrupert@pa.gov). These monitoring requirements, provided via DWRS and mailed to the system annually, do not negate any special permit condition sampling included in the permits issued to the system.

In the event of any future changes to the current configuration of the public drinking water system, please contact the department and receive written approval before any modifications are made.

Please confirm receipt of this report with an email to carrupert@pa.gov.

Field Samples

Field Samples continued

- 8 -

Subfacility: SRC-002-SUGARCREEK WELL#1	
Location Description Raw water tap in treatment plant	
Sample Number	Parameter Result Iron (mg/l): 0.0
Date Time 06/27/2023 09:46:00 AM	SAC#/Suite/Description
Subfacility: SRC-002-SUGARCREEK WELL#1	
Location Description Raw water tap in treatment plant	
Sample Number	Parameter Result Manganese (mg/l): 0.04
Date Time 06/27/2023 09:46:00 AM	SAC#/Suite/Description
Subfacility: SRC-002-SUGARCREEK WELL#1	
Location Description Raw water tap in treatment plant	
Sample Number	Parameter Result pH (pH units): 6.21
Date Time 06/27/2023 09:46:00 AM	SAC#/Suite/Description
Subfacility: SRC-002-SUGARCREEK WELL#1	
Location Description Raw water tap in treatment plant	
Sample Number	Parameter Result Temperature (Deg C): 14.3
Date Time 06/27/2023 09:46:00 AM	SAC#/Suite/Description

Field Samples continued

- 9 -

Subfacility: SRC-002-SUGARCREEK WELL#1	
Location Description Raw water tap in treatment plant (Alkalinity)	
Sample Number	Parameter Result Other: 28.0
Date Time 06/27/2023 09:46:00 AM	SAC#/Suite/Description
Subfacility: EP-129-SUGARCREEK	
Location Description Entry Point 129	
Sample Number	Parameter Result Iron (mg/l): 0.0
Date Time 06/27/2023 09:46:00 AM	SAC#/Suite/Description
Subfacility: EP-129-SUGARCREEK	
Location Description Entry Point 129	
Sample Number	Parameter Result Manganese (mg/l): 0.0
Date Time 06/27/2023 09:46:00 AM	SAC#/Suite/Description
Subfacility: EP-129-SUGARCREEK	
Location Description Entry Point 129	
Sample Number	Parameter Result pH (pH units): 6.11
Date Time 06/27/2023 09:46:00 AM	SAC#/Suite/Description

Field Samples continued

- 10 -

Subfacility: EP-129-SUGARCREEK	
Location Description Entry Point 129	
Sample Number	Parameter Result Temperature (Deg C): 13.2
Date Time 06/27/2023 09:46:00 AM	SAC#/Suite/Description
Subfacility: EP-129-SUGARCREEK	
Location Description Entry Point 129	
Sample Number	Parameter Result Chlorine, Free (mg/l): 2.39
Date Time 06/27/2023 09:46:00 AM	SAC#/Suite/Description
Subfacility: EP-129-SUGARCREEK	
Location Description Entry Point 129	
Sample Number	Parameter Result Chlorine, Total (mg/l): 2.45
Date Time 06/27/2023 09:46:00 AM	SAC#/Suite/Description
Subfacility: EP-129-SUGARCREEK	
Location Description Entry Point 129	
Sample Number	Parameter Result Phosphate (mg/l): 1.91
Date Time 06/27/2023 09:46:00 AM	SAC#/Suite/Description

Field Samples continued

- 11 -

Subfacility: DS-001-SUGARCREEK BOROUGH	
Location Description Sample Point 803 (172 Wilson Street meter pit tap)	
Sample Number	Parameter Result Chlorine, Free (mg/l): 2.16
Date Time 06/27/2023 10:46:00 AM	SAC#/Suite/Description
Subfacility: DS-001-SUGARCREEK BOROUGH	
Location Description Sample Point 803 (172 Wilson Street meter pit tap)	
Sample Number	Parameter Result Chlorine, Total (mg/l): 2.18
Date Time 06/27/2023 10:46:00 AM	SAC#/Suite/Description
Subfacility: DS-001-SUGARCREEK BOROUGH	
Location Description Sample Point 803 (172 Wilson Street meter pit tap)	
Sample Number	Parameter Result Phosphate (mg/l): 2.02
Date Time 06/27/2023 10:46:00 AM	SAC#/Suite/Description

Signatures

Received by(Print Name): Kevin Rhodes	Unable To Receive Signature: Report completed in office
Investigator (Print Name): CARLY JANELLE RUPERT	

I&E
EXHIBIT J

December 20, 2023

Afternoon All,

You are receiving this email as either a sanitarian or regulatory official of one or more of the utilities listed below.

This email is to serve as advance notice to the Department of Environmental Protection that Randall Rhodes, Kevin Rhodes, and Cinda Walentoski, the three operators of the utilities listed below, have notified the Estate of Blaine E. Rhodes of their intention to cease employment and operator duties effective December 31, 2023.

- Venango Water Company PWSID# 6610014
- Sugarcreek Water Company PWSID# 6610029
- Plumer Water Company PWSID# 6610011
- Fryburg Water Company PWSID# 6160030
- B.E. Rhodes Sewer Company NEPDS# PA0039225
- Cooperstown Water Company PWSID# 6610017
- West Hickory Water Company PWSID# 6270002

All operations of the above referenced utilities will become the responsibility of the estate upon that date. Any concerns regarding continued operations of these utilities should be addressed directly to the Estate contacts as follows:

- Desiree F. Rhodes, the Executrix of the Estate of Blaine E. Rhodes, 2887 State Route 417, Franklin, PA 16323 814-673-5036
- Estate Attorney, Gregory J. Merkel, Dale Woodard Gent McFate Law Firm, 1030 Liberty Street, Franklin, PA 16323 814-432-2181

The Estate of Blaine E. Rhodes and the PA Public Utility Commission have been aware of this intention since the beginning of October 2023.

The required change of available operator forms will be submitted within the 10 day requirement upon the actual cessation of the three operators.

Sincerely,

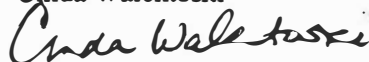
Randall Rhodes



Kevin Rhodes



Cinda Walentoski



**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement,	:	
Petitioner	:	
	:	
v.	:	Docket No. P-2023-
	:	I-2023-
The Blaine Edwin Rhodes Estate	:	
Respondent	:	

CERTIFICATE OF SERVICE

I hereby certify that I am serving the foregoing **I&E Petition to Request the Commission Open a Section 529 Investigation into the Acquisition of Several Small Water and Sewer Utilities Owned by the Blaine Edwin Rhodes Estate** dated January 3, 2024, in the manner and upon the person listed below.

Served via Electronic Mail Only

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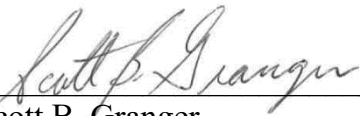
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Scott B. Granger
Prosecutor
Bureau of Investigation and Enforcement
PA Attorney ID No. 63641

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Venango Water Company – Ex Parte :
Emergency Order Naming Aqua : Docket No. M-2023-3042180
Pennsylvania, Inc. as Receiver :

Section 529 Investigation of Venango : Docket No. I-2023-3042312
Water Company :

I&E Petition to Request the Commission :
Open a Section 529 Investigation into :
the Acquisition of Several Small Water : Docket No. P-2024-3045205
and Sewer Utilities Owned by the Blaine :
Edwin Rhodes Estate :

CERTIFICATE OF SERVICE

I hereby certify that I am serving the foregoing **Petition for Consolidation** dated February 15, 2024, in the manner and upon the persons listed below.

Served via Electronic Mail Only

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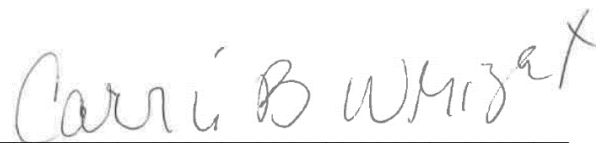
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