



GOVERNOR'S OFFICE OF GENERAL COUNSEL
DEPARTMENT OF ENVIRONMENTAL PROTECTION

May 2, 2025

VIA ELECTRONIC FILING

Matthew L. Homsher, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

Re: Pennsylvania Public Utility Commission Section 529 Investigation
into the Acquisition of Wonderview Water Company, Inc. and
Wonderview Sanitary Facilities, Inc., Docket No. M-2025-3053936

Dear Secretary Homsher:

Enclosed please find the Petition to Intervene in Section 529 Investigation on behalf of the Commonwealth of Pennsylvania, Department of Environmental Protection at the above-referenced proceeding.

Should you have any questions, please contact me. Thank you for your assistance.

Sincerely,

Amanda K. Chaplin
Assistant Counsel

Enclosure (Petition to Intervene)

c: Parties of Record

**COMMONWEALTH OF PENNSYLVANIA
BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission :
Section 529 Investigation into the Acquisition of : M-2025-3053936
Wonderview Water Company, Inc. and :
Wonderview Sanitary Facilities, Inc. :

**PETITION TO INTERVENE
OF THE DEPARTMENT OF ENVIRONMENTAL PROTECTION
IN SECTION 529 INVESTIGATION**

AND NOW, comes the Commonwealth of Pennsylvania, Department of Environmental Protection (“Department”), through its undersigned counsel, and files this Petition to Intervene, pursuant to 52 Pa. Code §§ 5.71-5.75. In support of its Petition to Intervene, the Department avers the following:

1. The name and address for the Department is:

Department of Environmental Protection
Northcentral Regional Office
208 West Third Street, Suite 101
Williamsport, PA 17701

2. The Department’s attorneys for this matter are:

Amanda Chaplin
PA I.D. No. 314076
Assistant Counsel
E-mail: achaplin@pa.gov

Geoffrey J. Ayers
PA I.D. No. 63888
Assistant Counsel
E-mail: geayers@pa.gov

Northcentral Regional Office
208 West Third Street, Suite 101
Williamsport, PA 17701
Phone: 570-321-6568
Fax: 570-327-3565

3. The Department is the agency with the duty and authority to administer and enforce the Pennsylvania Safe Drinking Water Act, Act of May 1, 1984, P.L. 206, *as amended*, 35 P.S. §§ 721.1-721.17 (“Safe Drinking Water Act”); the Clean Streams Law, Act of June 22, 1937, P.L. 1987, *as amended*, 35 P.S. §§ 691.1-691.1001 (“Clean Streams Law”); Section 1917-A of the Administrative Code of 1929, Act of April 9, 1929, P.L. 177, *as amended*, 71 P.S. § 510-17; and the rules and regulations promulgated thereunder.

4. Wonderview Water Company, Inc. is a Pennsylvania Domestic Business Corporation with a mailing address of P.O. Box 488, Bloomsburg, Pennsylvania 17815 (“Wonderview Water Company”).

5. Wonderview Sanitary Facilities, Inc. is a Pennsylvania Domestic Business Corporation with a mailing address of P.O. Box 488, Bloomsburg, Pennsylvania 17815 (“Wonderview Sanitary Facilities”).

6. John Yohey is an adult individual and is the owner and president of Wonderview Water Company and Wonderview Sanitary Facilities.

7. Wonderview Water Company and Wonderview Sanitary Facilities are both a “public utility” as that term is defined by 66 Pa. C.S. § 102.

8. Wonderview Water Company owns and operates a water treatment plant with a system that provides water to the public for human consumption that serves approximately 350 consumers and uses three groundwater wells identified as “Well 2,” “Well 3,” and “Well 4” (“Water Supply”) located in Bloomsburg, Columbia County, Pennsylvania. The Department has issued Public Water Supply Permit Nos. 1974501, 1987501, 1990503, and 2012MA to Wonderview Water Company.

9. On January 30, 2025, the Department issued an Administrative Order (“Department Order”) and an Assessment of Civil Penalty (“Assessment”) in the amount of \$1,500.00 to Wonderview Water Company for violations of the Safe Drinking Water Act. A true and accurate copy of the Department Order is attached hereto as Exhibit A and is incorporated by reference as if fully set forth herein. A true and accurate copy of the Assessment is attached hereto as Exhibit B and is incorporated by reference as if fully set forth herein. Wonderview Water Company has not completed all corrective actions within the Department Order and has not paid the Assessment.

10. Wonderview Sanitary Facilities owns and operates the Wonderview Wastewater System, located in Main Township, Columbia County, Pennsylvania for which the Department issued National Pollution Discharge Elimination System (“NPDES”) Permit No. PA0111716 effective July 1, 2024, authorizing the facility to discharge to Susquehanna River (WWF, MF) in Watershed(s) 5-D in accordance with effluent limitations, monitoring requirements and other conditions set forth in the NPDES Permit.

11. The Department also issued Wonderview Sanitary Facilities Water Quality Management (“WQM”) Permit No. 1976403-T1 pursuant to the Clean Streams Law for the treatment of sewage for ultimate discharge under NPDES Permit No. PA0111716.

12. The Department conducts routine inspections at Wonderview Wastewater System to ensure compliance with all applicable permit conditions contained in NPDES Permit No. PA0111716 and WQM Permit No. 1976403-T1. The most recent Compliance Enforcement Inspections occurred on September 14, 2023, and July 16, 2024, with no violations noted. There are no outstanding enforcement actions or known open violations at this facility.

13. On March 14, 2025, Chairman Stephen M. DeFrank issued an Ex Parte Emergency Order directing the initiation of a proceeding pursuant to 66 Pa. C.S. § 529 to investigate whether the Commission should order a capable public utility to acquire Wonderview Water Company and Wonderview Sanitary Facilities (“Section 529 Investigation”). The Ex Parte Emergency Order also appointed Veolia Water Pennsylvania, Inc. (“Veolia”) as receiver for both Wonderview Water Company and Wonderview Sanitary Facilities.

14. On March 27, 2025, the Commission issued a Ratification Order ratifying the Ex Parte Emergency Order.

15. On April 16, 2025, the Honorable John M. Coogan, Administrative Law Judge (“Judge Coogan”), issued a Prehearing Conference Order scheduling a prehearing conference on May 7, 2025.

16. On April 24, 2025, Veolia filed a Motion to Stay asking Judge Coogan to stay the Section 529 Investigation for 120 days to allow Veolia and Wonderview Water Company and Wonderview Sanitary Facilities to negotiate an Asset Purchase Agreement for a voluntary transfer of the systems.

17. On April 30, 2025, the Office of Small Business Advocate filed its Notice of Intervention.

18. The criteria for eligibility to intervene is found at 52 Pa. Code § 5.72:

(a) Persons. A petition to intervene may be filed by a person claiming a right to intervene or an interest of such nature that intervention is necessary or appropriate to the administration of the statute under which the proceeding is brought. The right or interest may be one of the following:

(1) A right conferred by statute of the United States or of the Commonwealth.

(2) An interest which may be directly affected and which is not adequately represented by existing participants, and as to

which the petitioner may be bound by the action of the Commission in the proceeding.

(3) Another interest of such nature that participation of the petitioner may be in the public interest.

(b) Commonwealth. The Commonwealth or an officer or agency thereof may intervene as of right in a proceeding subject to subsection (a)(1)—(3).

19. As a Commonwealth agency that regulates both Wonderview Water Company and Wonderview Sanitary Facilities, the Department has an interest which may be directly affected and is not adequately represented by existing participants and may be bound by the action of the Commission in this proceeding. The Department has permits with both Wonderview Water Company and Wonderview Sanitary Facilities, as well as an active Department Order for Wonderview Water Company. The Department also believes that its participation in the proceeding is in the public interest.

20. The Department supports the Section 529 Investigation but is not opposed to Veolia's Motion to Stay to allow for negotiations to achieve a voluntary transfer of the systems.

WHEREFORE, the Department respectfully requests that the Commission grant the Department's Petition to Intervene.

Respectfully submitted,

COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF ENVIRONMENTAL
PROTECTION

/s/ Amanda Chaplin

Amanda Chaplin, PA I.D. No. 314076

Assistant Counsel

E-mail: achaplin@pa.gov

Geoffrey J. Ayers, PA I.D. No. 63888

Assistant Counsel

E-mail: geayers@pa.gov

Northcentral Regional Office
208 West Third Street, Suite 101
Williamsport, PA 17701
Phone: 570-321-6568
Fax: 570-327-3565

Date: May 2, 2025

EXHIBIT A

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION**

In the Matter Of:

Wonderview Water, Inc. : Safe Drinking Water Act
John Yohey :
P.O Box 488 : PWSID 4190015
Bloomsburg, PA 17815-0488 :

ORDER

This Order is issued this 30th day of January 2025, by the Commonwealth of Pennsylvania, Department of Environmental Protection ("Department") against Wonderview Water, Inc.

The Department has found and determined the following:

A. The Department is the agency with the duty and authority to administer and enforce the Pennsylvania Safe Drinking Water Act, Act of May 1, 1984, P.L. 206, *as amended*, 35 P.S. §§ 721.1-721.17 ("Safe Drinking Water Act"); Section 1917-A of the Administrative Code of 1929, Act of April 9, 1929, P.L. 177, *as amended*, 71 P.S. § 510-17 ("Administrative Code"); and the rules and regulations promulgated thereunder ("Regulations").

B. Wonderview Water, Inc. is a Pennsylvania Domestic Business Corporation with a mailing address of P.O. Box 488, Bloomsburg, Pennsylvania 17815 ("Wonderview Water").

C. John Yohey is an adult individual and is the owner and president of Wonderview Water.

D. Wonderview Water owns and operates a water treatment plant located at 165A Mainville Drive, Bloomsburg, Columbia County, Pennsylvania, Tax Parcel ID No. 22 01 0101000 (“Site”).

E. At the Site, Wonderview Water owns and operates a system that provides water to the public for human consumption that serves approximately 350 consumers and uses three groundwater wells identified as “Well 2,” “Well 3,” and “Well 4” (“Water Supply”).

F. On August 16, 2023, the Department conducted a routine complete inspection of the Water Supply at the Site (“August Inspection”) and found that Wonderview Water failed to:

1. Maintain the permitted safe yield of 10 gallons per minute for Well 2 as required by permit 1987501. Department personnel measured a pumping rate of 16 gallons per minute during the August Inspection;
2. Maintain the permitted safe yield of 18 gallons per minute for Well 4 as required by special condition A in permit 1990503. Department personnel measured a pumping rate of 23 gallons per minute during the August Inspection;
3. Protect Well 3 from access by unauthorized personnel;
4. Install well level controls and indicators on Well 3 as required by special condition C in permit 1987501; and

5. Measure peak flow through the Water Supply's entry point in order to ensure flow does not exceed 30 gallons per minute as required by special condition C in permit 2012MA-4LOG.

G. On September 27, 2023, the Department provided Wonderview Water with a copy of the inspection report from the August Inspection and a Notice of Violation ("August NOV") describing the violations in Paragraph F, above. The August NOV identified the following violations as significant deficiencies:

1. Failing to maintain the permitted safe yield of 10 gallons per minute for Well 2;
2. Failing to maintain the permitted safe yield of 18 gallons per minute for Well 4; and
3. Failing to measure peak flow through the Water Supply's entry point.

H. On October 5, 2023, the Department completed a follow-up administrative inspection and notified Wonderview Water in writing of the deadlines to address the significant deficiencies.

I. On October 27, 2023, Wonderview Water consulted with the Department about the significant deficiencies cited in the August NOV.

J. On November 13, 2023, Wonderview Water submitted an untimely and incomplete written response for the significant deficiencies cited in the August NOV.

K. Wonderview Water failed to correct these significant deficiencies within 120 days of the regulatory timeframe deadline, which was December 14, 2023.

L. On January 24, 2024, the Department conducted a follow-up inspection of the Water Supply at the Site and found that Wonderview Water failed to correct the following significant deficiencies cited in the August NOV:

1. Maintaining the safe yield for Well 2 and Well 4; and
2. Measuring the peak flow through the entry point.

M. On January 25, 2024, Wonderview Water issued Tier 2 public notification for the failure to correct the significant deficiencies cited in the August NOV.

N. On April 2, 2024, the Department issued a NOV for the failure to correct the significant deficiencies described in Paragraph L, above.

O. On April 27, 2024, Wonderview Water re-issued Tier 2 public notification and the certification form for the failure to correct the significant deficiencies cited in the August NOV.

P. On October 27, 2024, Wonderview Water untimely re-issued Tier 2 public notification and the certification form for the failure to correct the significant deficiencies cited in the August NOV.

Q. As of the date of this Order, Wonderview Water failed to do the following:

1. Maintain the permitted safe yield for Well 2 and Well 4;
2. Measure the peak flow through the entry point;
3. Protect Well 3 from unauthorized personnel; and
4. Install well level controls and indicators on Well 3.

Applicable Law

R. Wonderview Water is a “person” as that term is defined under Section 3 of the Safe Drinking Water Act, 35 P.S. § 721.3, and 25 Pa. Code § 109.1.

S. Wonderview Water owns and operates a “public water system” at the Site as that phrase is defined under Section 3 of the Safe Drinking Water Act, 35 P.S. § 721.3, and 25 Pa. Code § 109.1.

T. The public water system utilizes “groundwater” at the Site as that term is defined under 25 Pa. Code § 109.1.

U. Wonderview Water owns and operates a “community water system” at the Site as that phrase is defined under Section 3 of the Safe Drinking Water Act, 35 P.S. § 721.3, and 25 Pa. Code § 109.1.

V. Wonderview Water is a “supplier of water” and a “public water supplier” as those phrases are defined under Section 3 of the Safe Drinking Water Act, 35 P.S. § 721.3, and 25 Pa. Code § 109.1.

W. Pursuant to 25 Pa. Code § 109.4(1), public water suppliers shall protect the water sources under the supplier’s control.

X. Pursuant to 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.

Y. Pursuant to 25 Pa. Code § 109.409(a)(1), a public water supplier shall provide Tier 2 public notice for treatment technique violations under Subchapter B (relating to

MCLs, MRDLs, and treatment technique requirements).

Z. Pursuant to 25 Pa. Code § 109.409(b)(3), a public water supplier shall repeat Tier 2 public notice every 3 months as long as the violation or situation persists, unless the Department determines that appropriate circumstances warrant a different repeat notice frequency.

AA. Pursuant to 25 Pa. Code § 109.701(a)(4), a public water supplier shall, within 10 days of completion of each public notification required under Subchapter D (relating to public notification), submit to the Department a certification that it has fully complied with the public notification requirements. The water supplier shall include with this certification a representative copy of each type of notice distributed, published, posted, and made available to persons served by the system and to the media and a description of the means undertaken to make the notice available.

BB. Pursuant to 25 Pa. Code § 109.717(4), the public water supplier shall correct significant deficiencies identified within 120 days of receiving written notification from the Department, or according to the schedule approved by the Department.

Unlawful Conduct

CC. Wonderview Water's failure to maintain the safe yield for Well 2 as described in Paragraphs F.1., G.1., L.1., and Q.1., above, violates 25 Pa. Code § 109.703(a).

DD. Wonderview Water's failure to maintain the safe yield for Well 4 as described in Paragraphs F.2., G.2., L.1., and Q.1., above, violates 25 Pa. Code § 109.703(a).

EE. Wonderview Water's failure to prevent unauthorized access to Well 3 as described in Paragraphs F.3. and Q.3., above, violates 25 Pa. Code § 109.4(1).

FF. Wonderview Water's failure to properly re-issue Tier 2 public notice and submit a public notice certification form as described in Paragraph P, above, violates 25 Pa. Code §§ 109.409(b)(3) and 109.701(a)(4).

GG. Wonderview Water's failure to install well level controls and indicators on Well 3 as required by special condition C in permit 1987501 as described in Paragraphs F.4. and Q.4., above, violates 25 Pa. Code § 109.703(a).

HH. Wonderview Water's failure to measure peak flow through the Water Supply's entry point in order to ensure flow does not exceed 30 gallons per minute as required by special condition C in permit 2012MA-4LOG as described in Paragraphs F.5., G.3., L.2., and Q.2., above, violates 25 Pa. Code § 109.703(a).

II. Wonderview Water's failure to correct significant deficiencies as described in Paragraphs K, L, and Q, above, violates 25 Pa. Code § 109.717(4).

JJ. The violations described in Paragraphs CC through II, above, constitute statutory nuisances under Section 12 of the Safe Drinking Water Act, 35 P.S. § 721.12, and subject Wonderview Water to civil penalty liability under Section 13 of the Safe Drinking Water Act, 35 P.S. § 721.13.

ORDER

NOW, THEREFORE, pursuant to Sections 5 and 12 of the Safe Drinking Water Act, 35 P.S. §§ 721.5 and 721.12, and Section 1917-A of the Administrative Code, 71 P.S. § 510-17, Wonderview Water is ORDERED as follows:

1. **Within sixty (60) days after the date of this Order**, Wonderview Water shall submit a corrective action plan ("CAP") to the Department.

a. The CAP shall describe in detail the actions that Wonderview Water will take to address the following, and shall include:

i) A plan and implementation schedule to address the over pumping of Well 2 and Well 4;

ii) A plan and implementation schedule to address entry point flow rate to meet special condition C in permit 2012MA-4LOG;

iii) A plan and implementation schedule for the installation of well level controls and indicators on Well 3 to meet special condition C in permit 1987501 in accordance with 25 Pa. Code § 109.703(a);

iv) A plan and implementation schedule to address security measures for Well 3; and

v) An anticipated completion date for all corrective actions.

b. Wonderview Water shall implement the CAP as approved by the Department in accordance with the implementation schedule approved by the Department.

c. If the Department approves the CAP and CAP implementation schedule, and the Department subsequently determines that a modification, amendment, or addition is necessary to the CAP or CAP implementation schedule, then Wonderview Water shall submit such written revisions as are necessary to fully address the Department's written request within 20 business days after receipt of a written request from the Department.

d. If the CAP includes the submission of a permit application, Wonderview Water shall submit an administratively complete permit application to the Department in accordance with the Department-approved implementation schedule. If the Department identifies any deficiencies with any permit application submitted by

Wonderview Water, Wonderview Water shall address the deficiencies within a reasonable time, as specified by the Department.

e. For the purposes of this Order, the term “administratively complete” shall mean that all submissions pursuant to Paragraph 1.d., above, contain all application fees, modules, signatures, certifications/reports by applicable licensed professionals with all necessary laboratory analysis, plans, maps, drawings, specifications, and/or supporting calculations, and any other necessary information/documents or sufficient quality to merit a full technical review by the Department.

2. **By April 27, 2025**, Wonderview Water shall re-issue the Tier 2 public notification and shall continue to re-issue the Tier 2 public notification every 90 days until the significant deficiencies are corrected in accordance with 25 Pa. Code §§ 109.409 and 109.411.

3. **Within ten (10) days after re-issuing the Tier 2 public notification**, Wonderview Water shall submit to the Department a public notification certification form in accordance with 25 Pa. Code § 109.701(a)(4) and a copy of the public notifications issued.

4. ***Submission of Documents.*** With regard to any document that Wonderview Water is required to submit pursuant to Paragraph 1, above, of this Order, the Department will review the document and will approve or disapprove the document, or any portion thereof, in writing. If the document, or any portion thereof, is disapproved by the Department, Wonderview Water shall submit a revised document to the Department that addresses the Department’s concerns within a reasonable time, as specified by the Department. Upon approval by the Department, the document, including any Department-

approved implementation schedules, shall become a part of this Order for all purposes and shall be enforceable as such.

5. ***Transfer of the Water Supply or Site.*** If Wonderview Water intends to transfer any legal or equitable interest in the Water Supply, Site, or any part thereof which is affected by this Order, Wonderview Water shall serve a copy of this Order upon the prospective transferee of the legal and equitable interest at least thirty (30) days prior to the contemplated transfer and shall simultaneously inform the Northcentral Region Office of the Department of such intent.

6. ***Correspondence with the Department.*** All submissions that are required under this Order shall be forwarded to:

Program Manager
Safe Drinking Water Program
Pennsylvania Department of Environmental Protection
Northcentral Region
208 West Third Street, Suite 101
Williamsport, PA 17701-6448
570-327-3673 (Phone)
570-327-3565 (Fax)

7. This Order of the Department is effective IMMEDIATELY upon receipt.

NOTICE OF APPEAL RIGHTS

Any person aggrieved by this action may appeal the action to the Environmental Hearing Board (“Board”) pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. § 7514, and the Administrative Agency Law, 2 Pa. C.S. Chapter 5A. The Board’s address is:

Environmental Hearing Board
Rachel Carson State Office Building, Second Floor
400 Market Street
P.O. Box 8457
Harrisburg, PA 17105-8457

TDD users may contact the Board through the Pennsylvania Relay Service, 800-654-5984.

Appeals must be filed with the Board within 30 days of receipt of notice of this action unless the appropriate statute provides a different time. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

A Notice of Appeal form and the Board's rules of practice and procedure may be obtained online at www.ehb.pa.gov or by contacting the Secretary to the Board at 717-787-3483. The Notice of Appeal form and the Board's rules are also available in braille and on audiotape from the Secretary to the Board.

IMPORTANT LEGAL RIGHTS ARE AT STAKE. YOU SHOULD SHOW THIS DOCUMENT TO A LAWYER AT ONCE. IF YOU CANNOT AFFORD A LAWYER, YOU MAY QUALIFY FOR FREE PRO BONO REPRESENTATION. CALL THE SECRETARY TO THE BOARD AT 717-787-3483 FOR MORE INFORMATION. YOU DO NOT NEED A LAWYER TO FILE A NOTICE OF APPEAL WITH THE BOARD.

**IF YOU WANT TO CHALLENGE THIS ACTION, YOUR APPEAL MUST BE
FILED WITH AND RECEIVED BY THE BOARD WITHIN 30 DAYS OF RECEIPT
OF NOTICE OF THIS ACTION.**

FOR THE COMMONWEALTH OF
PENNSYLVANIA, DEPARTMENT OF
ENVIRONMENTAL PROTECTION



Chad J. Miller, P.E.
Environmental Program Manager
Safe Drinking Water Program

EXHIBIT B

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION**

In the Matter Of:

Wonderview Water, Inc.	:	Safe Drinking Water Act
John Yohey	:	
P.O Box 488	:	PWSID 4190015
Bloomsburg, PA 17815-0488	:	

ASSESSMENT OF CIVIL PENALTY

This Assessment of Civil Penalty is issued this 30th day of January 2025, by the Commonwealth of Pennsylvania, Department of Environmental Protection ("Department") against Wonderview Water, Inc.

The Department has found and determined the following:

- A. The Department is the agency with the duty and authority to administer and enforce the Pennsylvania Safe Drinking Water Act, Act of May 1, 1984, P.L. 206, *as amended*, 35 P.S. §§ 721.1-721.17 ("Safe Drinking Water Act"); Section 1917-A of the Administrative Code of 1929, Act of April 9, 1929, P.L. 177, *as amended*, 71 P.S. § 510-17 ("Administrative Code"); and the rules and regulations promulgated thereunder ("Regulations").
- B. Wonderview Water, Inc. is a Pennsylvania Domestic Business Corporation with a mailing address of P.O. Box 488, Bloomsburg, Pennsylvania 17815 ("Wonderview Water").
- C. John Yohey is an adult individual and is the owner and president of Wonderview Water.
- D. Wonderview Water owns and operates a water treatment plant located at 165A Mainville Drive, Bloomsburg, Columbia County, Pennsylvania, Tax Parcel ID No. 22 01 00101000 ("Site").

E. At the Site, Wonderview Water owns and operates a system that provides water to the public for human consumption that serves approximately 350 consumers and uses three groundwater wells identified as “Well 2,” “Well 3,” and “Well 4” (“Water Supply”).

F. On August 16, 2023, the Department conducted a routine complete inspection of the Water Supply at the Site (“August Inspection”) and found that Wonderview Water failed to:

1. Maintain the permitted safe yield of 10 gallons per minute for Well 2 as required by permit 1987501. Department personnel measured a pumping rate of 16 gallons per minute during the August Inspection;

2. Maintain the permitted safe yield of 18 gallons per minute for Well 4 as required by special condition A in permit 1990503. Department personnel measured a pumping rate of 23 gallons per minute during the August Inspection;

3. Protect Well 3 from access by unauthorized personnel;

4. Install well level controls and indicators on Well 3 as required by special condition C in permit 1987501; and

5. Measure peak flow through the Water Supply’s entry point in order to ensure flow does not exceed 30 gallons per minute as required by special condition C in permit 2012MA-4LOG.

G. On September 27, 2023, the Department provided Wonderview Water with a copy of the inspection report from the August Inspection and a Notice of Violation (“August NOV”) describing the violations in Paragraph F, above. The August NOV identified the following violations as significant deficiencies:

1. Failing to maintain the permitted safe yield of 10 gallons per minute for Well 2;
2. Failing to maintain the permitted safe yield of 18 gallons per minute for Well 4; and
3. Failing to measure peak flow through the Water Supply's entry point.

H. On October 5, 2023, the Department completed a follow-up administrative inspection and notified Wonderview Water in writing of the deadlines to address the significant deficiencies.

I. On October 27, 2023, Wonderview Water consulted with the Department about the significant deficiencies cited in the August NOV.

J. On November 13, 2023, Wonderview Water submitted an untimely and incomplete written response for the significant deficiencies cited in the August NOV.

K. Wonderview Water failed to correct these significant deficiencies within 120 days of the regulatory timeframe deadline, which was December 14, 2023.

L. On January 24, 2024, the Department conducted a follow-up inspection of the Water Supply at the Site and found that Wonderview Water failed to correct the following significant deficiencies cited in the August NOV:

1. Maintaining the safe yield for Well 2 and Well 4; and
2. Measuring the peak flow through the entry point.

M. On January 25, 2024, Wonderview Water issued Tier 2 public notification for the failure to correct the significant deficiencies cited in the August NOV.

N. On April 2, 2024, the Department issued a NOV for the failure to correct the significant deficiencies described in Paragraph L, above.

O. On April 27, 2024, Wonderview Water re-issued Tier 2 public notification and the certification form for the failure to correct the significant deficiencies cited in the August NOV.

P. On October 27, 2024, Wonderview Water untimely re-issued Tier 2 public notification and the certification form for the failure to correct the significant deficiencies cited in the August NOV.

Q. As of the date of this Order, Wonderview Water failed to do the following:

1. Maintain the permitted safe yield for Well 2 and Well 4;
2. Measure the peak flow through the entry point;
3. Protect Well 3 from unauthorized personnel; and
4. Install well level controls and indicators on Well 3.

Applicable Law

R. Wonderview Water is a “person” as that term is defined under Section 3 of the Safe Drinking Water Act, 35 P.S. § 721.3, and 25 Pa. Code § 109.1.

S. Wonderview Water owns and operates a “public water system” at the Site as that phrase is defined under Section 3 of the Safe Drinking Water Act, 35 P.S. § 721.3, and 25 Pa. Code § 109.1.

T. The public water system utilizes “groundwater” at the Site as that term is defined under 25 Pa. Code § 109.1.

U. Wonderview Water owns and operates a “community water system” at the Site as that phrase is defined under Section 3 of the Safe Drinking Water Act, 35 P.S. § 721.3, and

25 Pa. Code § 109.1.

V. Wonderview Water is a “supplier of water” and a “public water supplier” as those phrases are defined under Section 3 of the Safe Drinking Water Act, 35 P.S. § 721.3, and 25 Pa. Code § 109.1.

W. Pursuant to 25 Pa. Code § 109.4(1), public water suppliers shall protect the water sources under the supplier’s control.

X. Pursuant to 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.

Y. Pursuant to 25 Pa. Code § 109.409(a)(1), a public water supplier shall provide Tier 2 public notice for treatment technique violations under Subchapter B (relating to MCLs, MRDLs, and treatment technique requirements).

Z. Pursuant to 25 Pa. Code § 109.409(b)(3), a public water supplier shall repeat Tier 2 public notice every 3 months as long as the violation or situation persists, unless the Department determines that appropriate circumstances warrant a different repeat notice frequency.

AA. Pursuant to 25 Pa. Code § 109.701(a)(4), a public water supplier shall, within 10 days of completion of each public notification required under Subchapter D (relating to public notification), submit to the Department a certification that it has fully complied with the public notification requirements. The water supplier shall include with this certification a representative copy of each type of notice distributed, published, posted, and made available to persons served by the system and to the media and a description of the means undertaken to make the notice

available.

BB. Pursuant to 25 Pa. Code § 109.717(4), the public water supplier shall correct significant deficiencies identified within 120 days of receiving written notification from the Department, or according to the schedule approved by the Department.

Unlawful Conduct

CC. Wonderview Water’s failure to maintain the safe yield for Well 2 as described in Paragraphs F.1., G.1., L.1., and Q.1., above, violates 25 Pa. Code § 109.703(a).

DD. Wonderview Water’s failure to maintain the safe yield for Well 4 as described in Paragraphs F.2., G.2., L.1., and Q.1., above, violates 25 Pa. Code § 109.703(a).

EE. Wonderview Water’s failure to prevent unauthorized access to Well 3 as described in Paragraphs F.3. and Q.3., above, violates 25 Pa. Code § 109.4(1).

FF. Wonderview Water’s failure to properly re-issue Tier 2 public notice and submit a public notice certification form as described in Paragraph P, above, violates 25 Pa. Code §§ 109.409(b)(3) and 109.701(a)(4).

GG. Wonderview Water’s failure to install well level controls and indicators on Well 3 as required by special condition C in permit 1987501 as described in Paragraphs F.4. and Q.4., above, violates 25 Pa. Code § 109.703(a).

HH. Wonderview Water’s failure to measure peak flow through the Water Supply’s entry point in order to ensure flow does not exceed 30 gallons per minute as required by special condition C in permit 2012MA-4LOG as described in Paragraphs F.5., G.3., L.2., and Q.2., above, violates 25 Pa. Code § 109.703(a).

II. Wonderview Water’s failure to correct significant deficiencies as described in Paragraphs K, L, and Q, above, violates 25 Pa. Code § 109.717(4).

JJ. The violations described in Paragraphs CC through II, above, constitute statutory nuisances under Section 12 of the Safe Drinking Water Act, 35 P.S. § 721.12, and subject Wonderview Water to civil penalty liability under Section 13 of the Safe Drinking Water Act, 35 P.S. § 721.13.

ASSESSMENT

As authorized under Section 13(g) of the Safe Drinking Water Act, 35 P.S. § 721.13(g), the Department hereby assesses a civil penalty in the amount of **\$1,500.00** for the violations described in Paragraphs AA through JJ, above. Within 30 days after the date of this Assessment of Civil Penalty, Wonderview Water shall remit **\$1,500.00** by corporate or certified check, or the like, made payable to the “**Commonwealth of Pennsylvania**” with a note on the memo line that states “**Safe Drinking Water Account**” which shall be sent to:

Environmental Program Manager
Pennsylvania Department of Environmental Protection
Safe Drinking Water Program
208 West Third Street, Suite 101
Williamsport, PA 17701

RESERVATION OF RIGHTS

The Department reserves all other rights to institute equitable, administrative, civil, and criminal action with respect to any matter addressed by the Assessment of Civil Penalty, including the right to require abatement of any conditions resulting from the events described in the Findings.

NOTICE OF APPEAL RIGHTS

Any person aggrieved by this action may appeal the action to the Environmental Hearing Board (“Board”) pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. § 7514, and the Administrative Agency Law, 2 Pa. C.S. Chapter 5A. The Board’s address is:

Environmental Hearing Board
Rachel Carson State Office Building, Second Floor
400 Market Street
P.O. Box 8457
Harrisburg, PA 17105-8457

TDD users may contact the Board through the Pennsylvania Relay Service, 800-654-5984.

Appeals must be filed with the Board within 30 days of receipt of notice of this action unless the appropriate statute provides a different time. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

A Notice of Appeal form and the Board's rules of practice and procedure may be obtained online at www.ehb.pa.gov or by contacting the Secretary to the Board at 717-787-3483. The Notice of Appeal form and the Board's rules are also available in braille and on audiotape from the Secretary to the Board.

IMPORTANT LEGAL RIGHTS ARE AT STAKE. YOU SHOULD SHOW THIS DOCUMENT TO A LAWYER AT ONCE. IF YOU CANNOT AFFORD A LAWYER, YOU MAY QUALIFY FOR FREE PRO BONO REPRESENTATION. CALL THE SECRETARY TO THE BOARD AT 717-787-3483 FOR MORE INFORMATION. YOU DO NOT NEED A LAWYER TO FILE A NOTICE OF APPEAL WITH THE BOARD.

**IF YOU WANT TO CHALLENGE THIS ACTION, YOUR APPEAL MUST BE
FILED WITH AND RECEIVED BY THE BOARD WITHIN 30 DAYS OF RECEIPT OF
NOTICE OF THIS ACTION.**

FOR THE COMMONWEALTH OF
PENNSYLVANIA, DEPARTMENT OF
ENVIRONMENTAL PROTECTION



Chad J. Miller, P.E.
Environmental Program Manager
Safe Drinking Water Program

VERIFICATION

I, Chad Miller, hereby state that I am the Environmental Program Manager for the Safe Drinking Water Program for the Commonwealth of Pennsylvania, Department of Environmental Protection, and the facts set forth in the foregoing Petition to Intervene are true and correct to the best of my knowledge, information, and belief. I understand that any false statements made herein are subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.



Chad Miller

Dated: May 2, 2025

VERIFICATION

I, Thomas Randis, hereby state that I am the Environmental Program Manager for the Clean Water Program for the Commonwealth of Pennsylvania, Department of Environmental Protection, and the facts set forth in the foregoing Petition to Intervene are true and correct to the best of my knowledge, information, and belief. I understand that any false statements made herein are subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.



Thomas Randis

Dated: May 2, 2025

**COMMONWEALTH OF PENNSYLVANIA
BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission :
Section 529 Investigation into the Acquisition of : M-2025-3053936
Wonderview Water Company, Inc. and :
Wonderview Sanitary Facilities, Inc. :

CERTIFICATE OF SERVICE

I hereby certify that I am this day serving this Petition to Intervene upon the persons and in the manner indicated below, which service satisfies the requirements of 52 Pa. Code § 1.54.

SERVED VIA ELECTRONIC MAIL ON MAY 2, 2025

The Honorable John Coogan Administrative Law Judge Pennsylvania Public Utility Commission 400 North Street Commonwealth Keystone Building Harrisburg, PA 17120 jcoogan@pa.gov	David P. Zambito, Esquire Jonathan P. Nase, Esquire Cozen O'Connor 17 North Second Street, Suite 1410 Harrisburg, PA 17101 dzambito@cozen.com jnase@cozen.com
Darryl A. Lawrence, Esquire Acting Consumer Advocate Office of Consumer Advocate 555 Walnut Street Forum Place, 5th Floor Harrisburg, PA 17101-1923 dlawrence@paoca.org	Rebecca Lyttle, Esquire Steven C. Gray, Esquire Office of Small Business Advocate 555 Walnut Street Forum Place, 1st Floor Harrisburg, PA 17101 relyttle@pa.gov sgray@pa.gov
Carrie B. Wright, Deputy Chief Prosecutor Pennsylvania Public Utility Commission Bureau of Investigation and Enforcement Commonwealth Keystone Building 400 North Street Harrisburg, Pennsylvania 17120 carwright@pa.gov	Alexandar R. Stahl, Esquire Aqua Pennsylvania, Inc 762 W. Lancaster Avenue Bryn Mawr, PA 19010 astahl@aquaamerica.com
John Yohey, President Wonderview Sanitary Facilities, Inc. P.O. Box 488 255 Riverview Avenue Bloomsburg, PA 17815 john_yohey@yahoo.com	John Yohey, President Wonderview Water Company, Inc. 88 Dutch Hill Road Bloomsburg, PA 17815 john_yohey@yahoo.com

Nate Spriggs Community Utilities of Pennsylvania Inc. 500 West Monroe Street Suite 3600 Chicago, IL 60661 nate.spriggs@nexuswg.com	
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SERVED VIA FIRST-CLASS MAIL ON MAY 2, 2025

Catawissa Township 153 Old Reading Road Catawissa, PA 17820-7937	Catawissa Borough 307 Main Street Catawissa, PA 17820
Catawissa Water Authority 19 School House Road Catawissa, PA 17820	Main Township 345 Church Road Bloomsburg, PA 17815

COMMONWEALTH OF PENNSYLVANIA,
 DEPARTMENT OF ENVIRONMENTAL
 PROTECTION

/s/ Amanda Chaplin

Amanda Chaplin, PA I.D. No. 314076
 Assistant Counsel
 Northcentral Regional Office
 208 West Third Street, Suite 101
 Williamsport, PA 17701
 E-mail: achaplin@pa.gov

Date: May 2, 2025