

Application of Pennsylvania-American Water Company for Acquisition of Substantially All of the Assets, Properties and Rights Related to the Wastewater System Owned and Operated by the City of Pittston

66 Pa. C.S. §1329

Application Filing Checklist – Water/Wastewater

Docket No. A-2025-3056419

20. Proof of Compliance. Provide proof of compliance with applicable design, construction and operation standards of DEP or of the county health department, or both including¹:
- g. Provide documentation evidencing a 5-year compliance history with DEP of other utilities owned or operated, or both, by the buyer, including affiliates, and their officers and parent corporations with regard to the provision of utility service.

RESPONSE:

- g. PAWC's compliance record has been consistently strong over the last five years, especially as it relates to treatment technique and MCL violations, or the lack thereof. We have also improved the compliance records of acquired systems during this timeframe by improving system management and investing in infrastructure. Below is a list of wastewater violations in nearby systems. We continue to improve our processes and provide training to eliminate future similar occurrences.
 - Pocono Wastewater System Violations: DEP administrative inspection violation received in July 2022 for failure to submit monitoring reports timely, failure to submit NPDES renewal application timely, exceedances of effluent limits at the treatment plant since the last inspection, and Sanitary Sewer Overflows (SSOs) since the last inspection. Documented effluent violations include Total Zinc in November 2019 and Total Copper in May 2020. Documented SSOs occurred within the collection system on December 24-25, 2020; August 27, 2021; September 1, 2021; September 23, 2021; October 26, 2021; January 13, 2022; and January 25, 2022. DEP inspection violations received on December 24, 2022; January 1, 2023; December 28, 2023; January 19, 2024; and January 24, 2024 for SSOs. All SSOs were discovered by PAWC, reported to PA DEP and corrected immediately.

¹ Regarding Checklist Item 20(g), Class A public utilities need only submit compliance history for operations in the neighboring areas or a statement attesting to their compliance with this item.

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- Saw Creek Wastewater System Violations: DEP inspection violations were received for SSOs. The collection system experienced SSOs on April 21, 2022; October 25, 2022; November 2, 2022; January 19, 2024; and February 2, 2024. All SSOs were discovered by PAWC, reported to PA DEP and corrected immediately. The Saw Creek WWTP received an inspection violation on January 17, 2024 for violation of their fecal coliform effluent limit in May 2023.
- Blue Mountain Lake Estates Wastewater System Violations: The collection system experienced an SSO on April 4, 2022. The SSO was discovered by PAWC, reported to PA DEP and corrected immediately.
- Scranton Wastewater System Violations: The collection system experienced an SSO on May 2, 2022. The SSO was discovered by PAWC, reported to PA DEP and corrected immediately. The Scranton Wastewater Treatment Plant received a notice of violation letter on September 22, 2023, documenting effluent limitation exceedances since their last inspection. They exceeded Total Suspended Solids in December 2019, April 2021 and May 2021. Fecal Coliform in May 2021, September 2021, October 2021, September 2022, and January 2023. Dichlorobromomethane in November 2021, August 2022, and October 2022. An administrative inspection reported, with noted violations, was received on August 21, 2024. Noted were effluent limit violations for fecal coliform in May and August 2023, an SSO, and failure to monitor pollutants as required by the NPDES permit. An inspection violation from the ECB-Storage Tank Program was received on September 19, 2024 for failure to have emergency containment that is sufficiently impermeable. The cracks in the containment were repaired.