

County of Erie

DANIEL CASTLE, AICP
COMMISSIONER

DEPARTMENT OF ENVIRONMENT & PLANNING
DIVISION OF SEWERAGE MANAGEMENT

JOSEPH FIEGL, P.E., BCEE
DEPUTY COMMISSIONER

May 27, 2026

Ms. Liza Austin
Or Current Resident
3317 South Park Ave.
Lackawanna, New York 14218

Re: Notice of Violation
Discharge of Sanitary Sewage to Storm System

Dear Ms. Austin (or current resident),

In response to a complaint from the City of Lackawanna, Erie County Sewer District No. 6 (hereinafter referred to as the "District") has determined that your sanitary sewer lateral is defective/failing near the connection to the public sewer main. District personnel televised the public sewers while dye testing and the appearance of dye exiting the sewer connection from your property has led to the determination of this deficiency. However, it was also discovered that the sanitary sewer lateral is being discharged directly to the District's storm sewer system.

Be advised that pursuant to Section 6.03 of the Rules and Regulations for Erie County Sewer District No. 6 Municipal Separate Storm Sewer System (MS4) (hereinafter referred to as the Rules and Regulations), illicit connections to the MS4 are prohibited. For your information, the Rules and Regulations may be found at: https://www3.erie.gov/dsm/sites/www3.erie.gov.dsm/files/2021-07/rules_regs_dist6.pdf

Section 9.01 of the Rules and Regulations notes that when the District finds or has reasonable information and belief that a User or other Person has violated or is violating any provision of these Rules and Regulations, the District may serve upon that User or other Person a written Notice of Violation. This letter constitutes a Notice of Violation of Section 6.03 and other provisions of the Rules and Regulations. As a remedial measure, it is required that you correct this illicit discharge by connecting the building sanitary lateral to the public sanitary sewer main located in South Park Avenue within 90 days of receipt of this letter, unless an extension is granted by the District in writing.

Be advised that a sewer repair permit is required for any work done on your sanitary sewer outside of your building. The \$2.00 repair permit can be procured at the District office located at S-3690 Lakeshore Road, Buffalo, NY 14219. This permit ensures that the repair will be inspected prior to backfill by a District inspector for compliance with District standards as well as protection of the property owner. Additionally, you should confer with the City of Lackawanna Code Enforcement and the local NYSDOT office as to any regulations that may apply to this repair regarding the street pavement.

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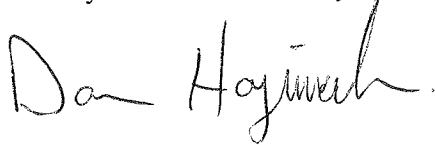
Should this violation continue, the Rules and Regulations require the District to advise you that pursuant to Section 10.01 you may be subject to penalties in the form of a premium assessment not to exceed a maximum of one thousand dollars (\$1,000) for each violation. Each day a violation exists may constitute a separate violation, with a day being a twenty-four-hour period beginning at 12:01 AM and ending on the following 12:01 AM.

Please be advised that this Notice of Violation may be appealed to the District by filing a written notice of appeal within twenty (20) days of receipt of this Notice of Violation. If you wish to issue an appeal, please direct the written correspondence to:

Erie County Sewer District No. 6 Board of Managers
c/o: Erie County Division of Sewerage Management
95 Franklin Street – Room 1034
Buffalo, New York 14202

If you should have any questions, please contact me at 823-8188 X 264 or by e-mail at David.Hojnacki@erie.gov

Thank you in advance for your cooperation,

A handwritten signature in black ink that reads "Dan Hojnacki". The signature is written in a cursive, flowing style.

David Hojnacki
Sewer District Manager

Cc: Erie County Sewer District No. 6 Board of Managers
S. Hayes – City of Lackawanna
K. Kaminski/C. Horne
W. Strzeszynski
J. Balcarczyk
J. Fiegl/G. Pecak/M. Salah/6.2.3.MS4