



County of Erie

DANIEL CASTLE, AICP
COMMISSIONER

DEPARTMENT OF ENVIRONMENT & PLANNING
DIVISION OF SEWERAGE MANAGEMENT

JOSEPH FIEGL, P.E., BCEE
DEPUTY COMMISSIONER

December 8, 2025

Ms. Molly Bebak, E.I.T.
New York State Department of Environmental Conservation (NYSDEC)
Region 9 – Division of Water
700 Delaware Avenue
Buffalo, New York 14209

Re: November 21, 2025 Letter – NYSDEC
Notice of Violation (NOV)
Erie County Sewer District (ECSD) No. 4

TRANSMITTED VIA E-MAIL TO: molly.bebak@dec.ny.gov

Dear Ms. Bebak,

ECSD No. 4 in receipt of the NYSDEC's November 21, 2025 NOV letter regarding a sanitary sewer overflow (SSO) event occurring on October 30, 2025 at 29 Greenmeadow Drive in the Town of Lancaster, New York. A copy of this NOV is enclosed as Attachment A. Included with the November 21, 2025 NOV letter was a "Certification of Compliance" requesting that ECSD No. 4 submit a "Letter Describing Corrections Made". A signed copy of the "Certification of Compliance" is included in Attachment B. Please consider this correspondence as the "Letter Describing Corrections Made".

As the NOV notes, the SSO event was timely reported via NY Alert, with a supplemental five (5) day report received by the NYSDEC. A copy of the referenced five (5) day report sent on behalf of ECSD No. 4 is included in Attachment C. The following is a summary of the details included in that report:

- The sanitary sewer backup was observed at 1:40pm on October 30, 2025, and a blockage was relieved at 1:55pm.
- A volume of 50 gallons was estimated for the SSO.
- The area around the manhole was returned to its original condition.
- Further investigation into the cause of the blockage was planned.

Whenever there is a blockage of this type in ECSD No. 4, a work order is entered into the Sewer District's computerized maintenance management system (CMMS) to schedule and track follow-up activities. On November 4, 2025 staff returned to the site of the blockage to perform investigations as part of this work order. The pipeline was cleared using a flusher truck and the interior of the sanitary sewer was subsequently viewed using a closed-circuit televising (CCTV) camera. During the CCTV work, a root mass was observed at a distance approximately 227-feet downstream in the sewerline, which was identified as the cause of the blockage. Sewer District staff deployed mechanical cutting equipment to remove the root mass, but unfortunately the CCTV camera malfunctioned during these activities and

hence the mechanical cutting was completed without the benefit of visual confirmation. Due to this malfunction, the work order remained in an open status with further maintenance activities to follow.

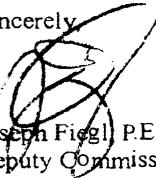
Sewer District staff returned on another day with a different CCTV camera. Mechanical cutting equipment was once again deployed to remove the remaining root fragments, with visual confirmation through televising. The camera allowed staff to observe that the root intrusion was caused by a small hole/break located at a joint in the pipeline. A new work order notification was entered into ECSD No. 4's CMMS to schedule the repair of the small hole. This work is tentatively scheduled to be completed by ECSD No. 4 by the end of this year, weather-dependent.

In summary, the SSO was corrected immediately on October 30, 2025 through clearing the blockage. Sewer District staff followed up to investigate the cause of the SSO, found a root mass as the source of the blockage, and the root mass was removed. ECSD No. 4 has scheduled repairs to mitigate against the root mass from re-forming at this location in the future.

As previously referenced, enclosed in Attachment B is a signed "Certification of Compliance", submitted within the requested 45 days of the date of the NOV.

Please let us know if you require further information.

Sincerely,



Joseph Figgl, P.E., BCEE
Deputy Commissioner

Cc: ECSD No. 4 Board of Managers
NYSDEC Region 9 (R. Locey, T. Mucha, D. Skaros – via e-mail)
NYSDEC Albany (B. Heinen – via e-mail)
D. Delmont/C. Horne/K. Kaminski
J. Gollegly/W. Strzeszynski
D. Millar/G. Pecak/M. Salah/N. Wetzal/D. Wierzba/4.2.3.DEC Overflows

Attachment A

November 21, 2025 Letter
New York State Department of Environmental Conservation



**Department of
Environmental
Conservation**

KATHY HOCHUL
Governor

AMANDA LEFTON
Commissioner

November 21, 2025

Erie County Sewer District No. 4
Erie County Department of Sewerage Management
95 Franklin Street, 10th Floor – Room 1034
Buffalo, New York 14202

Dear Joseph Fiegl:

Notice of Violation: Unauthorized Discharge
Facility: Erie County Sewer District No. 4
POSS No.: NYS900040

PLEASE TAKE NOTICE THAT based on New York State Department of Environmental Conservation's ("Department") records a specific action constituting a violation of the New York State Environmental Conservation Law ("ECL") and the New York Code of Rules and Regulations ("NYCRR") has occurred at the above referenced facility. The violation is as follows:

1. ECL §17-0509 Minimum treatment required

"The minimum degree of treatment required for the discharge of sanitary sewage into the surface waters of the state shall be effective secondary treatment, provided, however, that additional treatment may be required consistent with the standards established for specific waters by the department pursuant to section 17-0301 or with standards, criteria, limitations, rules or regulations promulgated or applied pursuant to title 8 hereof."

This Notice of Violation ("NOV") is being sent regarding the sanitary sewer overflow ("SSO") event that occurred on October 30, 2025 at the address below, in violation of ECL §17-0509:

- 29 Greenmeadow Drive, Town of Lancaster (MH DE637)

The overflow, totaling approximately 50 gallons, was due to a blockage in the sanitary sewer causing a dry weather discharge. The County reported that the blockage was relieved using a flusher truck on October 30, 2025. The event was reported timely to the Department via NY Alert in accordance with the Sewage Pollution Right to Know ("SPRTK") Act. A supplemental 5-day report was received for the event by the Department.

PLEASE TAKE NOTICE THAT pursuant to ECL § 71-1929, any person who violates any provision of, or who fails to perform any duty imposed by titles 1 through 11

Division of Water

700 Delaware Avenue, Buffalo, NY 14209 | dec.ny.gov | R9DOW@dec.ny.gov | (716) 851-7070

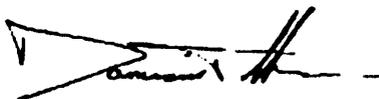
and title 19 of article 17 of the ECL, or any regulation or order promulgated pursuant thereto, shall be liable for a civil penalty of not more than \$37,500 per day for each violation and, in addition thereto, such person may be enjoined from continuing such violation.

PLEASE TAKE FURTHER NOTICE THAT the Department is reviewing its option regarding the appropriate enforcement action(s), including the assessment of penalties, fines, and injunctive relief for the violation noted above. Compliance with this NOV shall not relieve Erie County Sewer District No. 4 of any liability for penalties or other appropriate sanction(s) for the above referenced violation. However, failure to immediately comply may result in a larger penalty than would otherwise be assessed, should the company be adjudged to be in violation of the ECL.

PLEASE TAKE FURTHER NOTICE THAT Erie County Sewer District No. 4 may submit information or evidence to the Department relevant to the facility's compliance record, the nature of the violations, or any mitigating circumstances. Any such information or evidence may be used in a civil enforcement proceeding. In the event that formal enforcement proceedings are initiated, the company will have the right to a hearing. Erie County Sewer District No. 4 may also request an informal conference to discuss this NOV and the events to which it relates.

Please submit the attached Certification of Compliance to the Department within **45 days of the date of this NOV**. All questions and submittals can be directed to Molly Bebak of my staff at (716) 851-7070, or by email at molly.bebak@dec.ny.gov.

Sincerely,



**Damianos T. Skaros, P.E.
Regional Water Engineer
NYSDEC Region 9**

MB/cj

Enclosure: Certificate of Compliance

Ec: Molly Bebak, E.I.T., Division of Water, NYSDEC Region 9
Robert Locey, P.E., Division of Water, NYSDEC Region 9
Bryce Heinen, E.I.T., WICSS Coordinator, NYSDEC Central Office
Terri Mucha, Esq., Regional Attorney, NYSDEC Region 9

Attachment B

Certification of Compliance
Signed by Erie County



Department of Environmental Conservation

Certification of Compliance

For DEC Use:

Facility Name SPDES ID
 Regional Inspector Date
 Complete and return this Certification of Compliance by
 Send to Regional Water Engineer:

1. Facility has corrected the violations specified in the inspection report cited or attached Notice of Violation; or certifying that permit or order schedule items are completed.
2. I am authorized as the permit holder to file this certification on behalf of the facility.
3. Submission of this certification does not limit enforcement or re-inspection by the department.

Please Submit Items Checked		Description of Compliance/Corrective Actions	Received Date
Photos	<input type="checkbox"/>		
Engineer's Certification	<input type="checkbox"/>		
Letter Describing Corrections Made	<input checked="" type="checkbox"/>		
As-Built Plans	<input type="checkbox"/>		
Other	<input type="checkbox"/>		

For Permittee Use:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Permittee (Per CFR 122.22)
(Print or Type)

Signature

Title

Date Signed

Attachment C

October 31, 2025 Letter
Erie County Sewer District No. 4



County of Erie

DANIEL CASTLE, AICP
Commissioner

DEPARTMENT OF ENVIRONMENT AND PLANNING

JOSEPH FIEGL, P.E., BCPE
Deputy Commissioner

TRANSMITTED VIA E-MAIL

October 31, 2025

Environmental Engineer in Charge
NYS Department of Environmental Conservation
700 Delaware Avenue
Buffalo, New York 14209

Re: 29 Greenmeadow Drive
Lancaster, New York 14086
Permit Number: NYS900040
Incident Date: October 30, 2025
Initial NY-Alert Notification Number: 2230532746267690

Dear Ms. Bebak,

This letter is a follow-up to the report made to the NY-Alert/Everbridge website on October 30, 2025, for sanitary sewer overflow (SSO) in the Erie County Sewer District (ECSD) No. 4 service area at the above listed address.

District staff responding to a complaint call at 1:40 pm on October 30, 2025, observed one sanitary manhole (MH DE637) near full capacity, indicating a blockage in flow through the downstream sewer pipe. While relieving the blockage using a flusher truck, a slight overflow was observed. The overflow ceased at 1:55 pm on October 30, 2025. The amount of the overflow is estimated at 50 gallons. Further investigation into the source of the blockage is planned. The area around the manhole has been returned to its' original condition prior to the overflow.

Please call me at 716-684-1234, if you have any questions.

Sincerely yours,

William D. Strzeszynski II- Sewer District Manager

cc: J. Fiegl / M. Salah / D. Wierzba / D. Millar / G. Pecak / N. Wetzel / 4.2.3.DEC Overflows
K. Kaminski / C. Horne / D. Delmont / J. McDonald
M. Pinto / J. Gollegly