

March 23, 2018

Mr. Andrew Shissler  
Delmont Borough Council President  
77 Greensburg Street  
Delmont, PA 15626

Dear Mr. Shissler,

As you are aware, the Rock Springs Trust engaged the services of an independent engineer to inspect and to evaluate the containment configurations on the several Delmont Borough sanitary sewer manholes situate on the Rock Springs Trust property and on the property immediately adjacent, known as “the Vaia property,” on which also resides the Cramer Pump Station. This inspection was performed on March 19, 2018, and witnessed by myself, the Borough’s public works crew, and one of the two current chairpersons of the Borough’s sewage committee.

The inspection by the independent engineer on March 19 confirmed that Delmont Borough has taken action with regard to the manhole configurations to specifically target the Rock Springs Trust property for illegal discharges of untreated sewage from the Borough’s sanitary sewer system into Beaver Run. The independent engineer’s report is pending.

Delmont Borough does not have any NPDES or other environmental permit allowing discharges from the manholes located on the Rock Springs Trust property. Further, neither the Trustee, nor any other representative of the Rock Springs Trust, has given any type of permission to Delmont Borough to use the property in this manner. Rather, Delmont Borough has willfully and with reckless disregard trespassed and acted to commandeer private property for the purpose of illegally discharging its waste into the Beaver Run and to impose illegal limitations on the use and enjoyment of this private property by the Rock Springs Trust and its beneficiaries in violation of the Pennsylvania Clean Streams Law and the U.S. Clean Water Act.

With and through this communication, the Trust demands that effective immediately Delmont Borough cease these illegal sanitary sewer system discharges and that the Borough desist from such discharges and any other infringement of or trespass to Rock Springs Trust property rights in the future.

We anticipate that you will confirm by March 30, 2018, via written correspondence that appropriate action has been taken by the Borough to meet this demand to cease and desist. If these activities do not cease, the Trust reserves its rights to take appropriate legal action against the Borough for damages, including damage to the property, and to enjoin these discharges.



Ed Rebitch  
150 Rock Springs Road, Salem Township PA

cc: Joann Krance – Trustee, Rock Springs Trust, Salem Township