



January 26<sup>th</sup>, 2024

**NOTICE OF VIOLATION**

VIA ELECTRONIC MAIL

Kathleen Locke  
Brunner Island LLC  
1400 Wago Road  
York Haven, PA 17370  
[Kathleen.Locke@talenergy.com](mailto:Kathleen.Locke@talenergy.com)

Re: Incidents on January 23<sup>rd</sup> and January 24<sup>th</sup>, 2024.  
Brunner Island  
NPDES Permit No. PA0008281  
East Manchester Township, York County

Dear Ms. Locke,

On January 23<sup>rd</sup> and January 24<sup>th</sup>, 2024, the Pennsylvania Department of Environmental Protection (DEP) responded to two incidents at Brunner Island Power Station. During the responses, the following violations were noted:

**On January 23rd, 2024: A release of hydraulic oil, from a maintenance project to Outfall 001, that discharges to the Susquehanna River, waters of the Commonwealth, is a violation of your NPDES Permit and Sections 401 and 402 of the Pennsylvania Clean Streams Law.**

**On January 24th, 2023: A Fish Kill as the result of temperature fluctuations of non-contact cooling water, an industrial wastewater, caused by the planned shutdown of power generation units, is a violation of Section 301 and 307 of the Pennsylvania Clean Streams Law.**

By February 7<sup>th</sup>, 2024, for the January 24<sup>th</sup>, 2024 incident, DEP requests that you submit a written report to this office describing the cause of noncompliance and a summary of the event.

In addition, please supply temperature data for the 24 hours prior and 24 hours following the event. If you find you need more time to evaluate the situation, please contact me directly to discuss your planned actions and to formally request an extension.

Please submit the requested report by emailing it to Shawn Lesitsky.

DEP received the 5 Day letter regarding the January 23<sup>rd</sup>, 2023 event on January 26<sup>th</sup>, 2024.

Please be advised that failure to comply with the terms and conditions of Sections 301, 307, 401 and 402 of The Pennsylvania Clean Streams Law constitutes a violation and subjects you to appropriate enforcement action.

This Notice of Violation is neither an order nor any other final action of the DEP. It neither imposes nor waives any enforcement action available to the DEP under any of its statutes. If the DEP determines that an enforcement action is appropriate, you will be notified of the action.

If you have any questions, please contact me at 717-756-5530 or [slesitsky@pa.gov](mailto:slesitsky@pa.gov).

Sincerely,

A handwritten signature in blue ink that reads "Shawn Lesitsky". The signature is written in a cursive, flowing style.

Shawn Lesitsky  
Water Quality Specialist  
Clean Water Program