



pennsylvania
DEPARTMENT OF ENVIRONMENTAL
PROTECTION



BUREAU OF CLEAN WATER

Act 537: The Good, The Bad, & The Ugly

Presentation to the Chester County Engineers

Kelly Sweeney

November 30, 2017

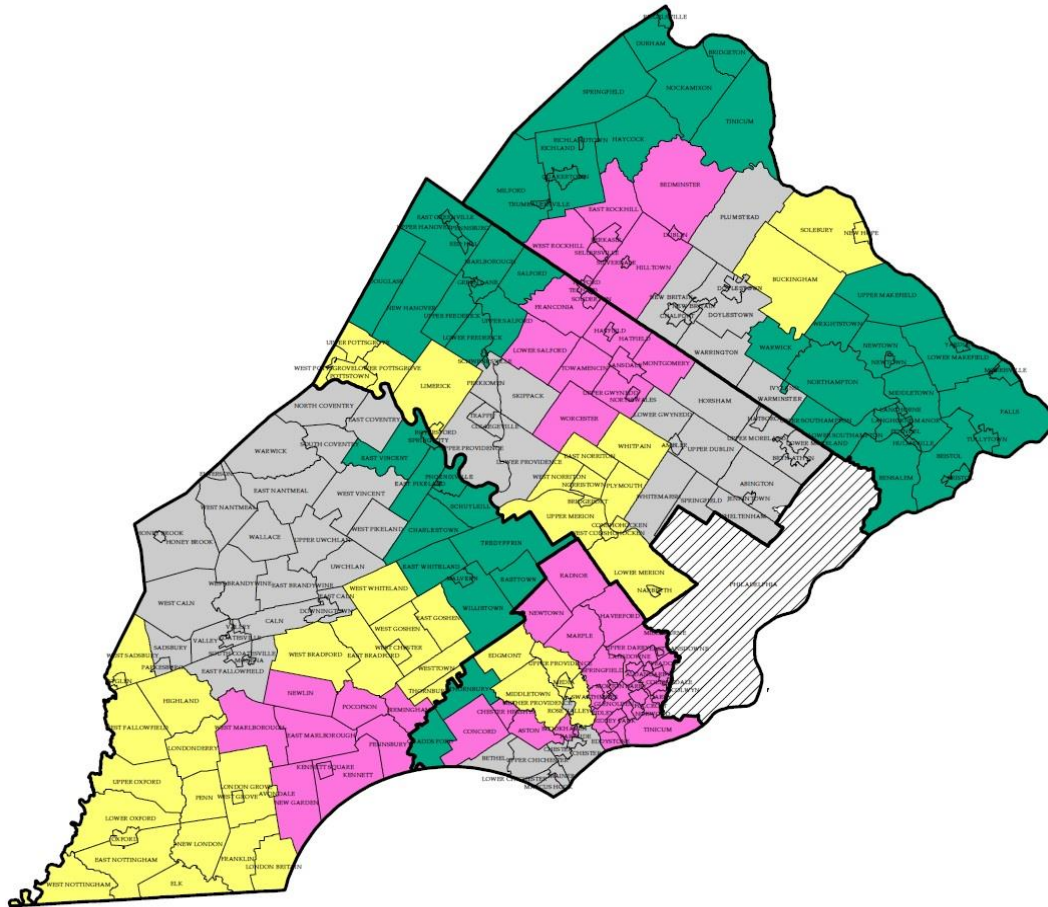
Tom Wolf, Governor

Patrick McDonnell, Secretary

SERO Restructuring

- Patrick Patterson, Regional Director
- Sachin Shankar, Assistant Regional Director
- Jenifer Fields, Environmental Program Manager
- Elizabeth Mahoney, Environmental Group Manager
- Donna Suevo, Sewage Planning Supervisor

SERO Sewage Planning Specialists



- John Venezia ●
- Kelly Sweeney ●
- Kelly Boettlin ●
- Stefanie Rittenhouse ●



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DEPARTMENT OF ENVIRONMENTAL
PROTECTION



Bureau of Clean Water

Sewage Facilities Planning Module Application Mailer

SFPM Application Mailer

- The “Postcard”
- 3 Uses
 - Request a DEP Code No.
 - Request a Waiver
 - Request an Exemption

3800-CD-WSFR0359 Rev. 5/2010

1. Development Information

Name of Development _____
 Developer Name _____
 Address _____
 Telephone # _____
 Email _____

2. Location of Development

a. County _____
 b. Municipality _____
 c. Address or Coordinates _____
 d. Tax Parcel # _____
 e. USGS Quad Name _____
 Inches up _____ over _____
 from bottom right corner of map.
 f. Located In a High Quality/Exceptional Value watershed?
☐ Yes ☐ No

3. Type of Development Proposed (check appropriate box)

☐ Residential ☐ Multi-Residential
 Describe _____
☐ Commercial ☐ Institutional
 Describe _____
☐ Brownfield Site Redevelopment
☐ Other (specify) _____

4. Size

a. # of lots _____ # of EDUs _____
 b. # of lots since 5/15/72 _____
 c. Development Acreage _____
 d. Remaining Acreage _____
 e. Sewage Flows _____ gpd

6. Proposed Sewage Disposal Method (check applicable boxes)

a. ☐ Sewerage System
☐ Existing (connection only) ☐ New (extension)
☐ Public ☐ Private
☐ Pump Station(s)/Force Main ☐ Gravity
 Name of existing system being extended _____

Interceptor Name _____
 Treatment Facility Name _____

NPDES Permit # _____

b. ☐ Construction of Treatment Facility
☐ With Stream Discharge
☐ With Land Application (not including IRSIS)
☐ Other
☐ Repair?
 Name of waterbody where point of discharge is proposed
 (if stream discharge) _____

c. ☐ Onlot Sewage Disposal Systems
 (check appropriate box)
☐ Individual onlot system(s) (including IRSIS)
☐ Community onlot system
☐ Large-Volume onlot system
 d. ☐ Retaining tanks
 Number of Holding Tanks _____
 Number of Privies _____

7. ☐ Request Sewage Facilities Planning Module forms in electronic format

8. Request for Planning Exemption

a. Protection of rare, endangered or threatened species
 Check one:
☐ The "PNDI Project Environmental Review Receipt" is attached.
 or
☐ A completed "PNDI Project Planning & Environmental Review Form," (PNDI Form) is attached. I request DEP staff to complete the required PNDI search for my project. I realize that my planning exemption will be considered incomplete and that the DEP processing of my planning exemption request will be delayed, until a "PNDI Project Environmental Review Receipt" and all supporting documentation from jurisdictional agencies (when necessary) is/are received by DEP.

Applicant or Consultant Initials _____

b. ☐ Plot Plan Attached ☐ Site Reports Attached

c. Onlot Disposal Systems

(1) I certify that the Official Plan shows this area as an onlot service area.

_____/_____
 (Signature of Municipal Official) Date

_____/_____
 Name (Print) Title

Municipality (must be same as in 2.b.) _____

Telephone # _____

(2) I certify that each lot in this subdivision has been tested and is suitable for both a primary and replacement sewage disposal system.

_____/_____
 Signature of SEO Date

_____/_____
 Name (Print) Certification #

Telephone # _____

(3) I certify that each lot in this subdivision is at least 1 acre in size

_____/_____
 (Signature of Project Applicant/Agent) Date

d. Public Sewerage Service (i.e., ownership by municipality or authority)

Based upon written documentation, I certify that the facilities proposed for use have capacity and that no overload exists or is projected within 5 years. (Attach documents.)

_____/_____
 (Signature of Municipal Official) Date

_____/_____
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3800-CD-W5FR0359 Rev. 5/2010

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from bottom right corner of map.
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☐ Yes ☐ No

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Describe _____
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Describe _____
☐ Brownfield Site Redevelopment
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c. Development Acreage _____
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5. Sewage Flows _____ gpd

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☐ Pump Station(s)/Forced Main ☐ Gravity
Name of existing system being extended _____
Interceptor Name _____
Treatment Facility Name _____
NPDES Permit # _____
b. ☐ Construction of Treatment Facility
☐ With Stream Discharge
☐ With Land Application (not including IRSIS)
☐ Other
☐ Repair?
Name of waterbody where point of discharge is proposed
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c. ☐ Onlot Sewage Disposal Systems
(check appropriate box)
☐ Individual onlot system(s) (including IRSIS)
☐ Community onlot system
☐ Large-Volume onlot system

d. ☐ Retaining tanks
Number of Holding Tanks _____
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Telephone # _____

- Submit postcard
 - New project
 - Change in use
 - Increase in flow

Request a DEP Code Number

3800-CD-W5FR0359 Rev. 5/2010

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inches up _____ over _____
from bottom right corner of map.
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☐ Yes ☐ No

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Describe _____
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☐ Existing (connection only) ☐ New (extension)
☐ Public ☐ Private
☐ Pump Station(s)/Force Main ☐ Gravity
Name of existing system being extended _____

Interceptor Name _____
Treatment Facility Name _____

NPODES Permit # _____

b. ☐ Construction of Treatment Facility
☐ With Stream Discharge
☐ With Land Application (not including IRGIS)
☐ Other
☐ Repair?
Name of waterbody where point of discharge is proposed
(if stream discharge) _____

c. ☐ Onlot Sewage Disposal Systems
(check appropriate box)
☐ Individual onlot system(s) (including IRGIS)
☐ Community onlot system
☐ Large-Volume onlot system
d. ☐ Retaining tanks
Number of Holding Tanks _____
Number of Privies _____

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Municipality (must be same as in 2.b.) _____

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Signature of SEO _____ Date _____

Name (Print) _____ Certification # _____

Telephone # _____

(3) I certify that each lot in this subdivision is at least 1 acre in size.

(Signature of Project Applicant/Agent) _____ Date _____

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Based upon written documentation, I certify that the facilities proposed to use have capacity and that no overflow exists or is projected within 5 years. (Attach documents.)

(Signature of Municipal Official) _____ Date _____

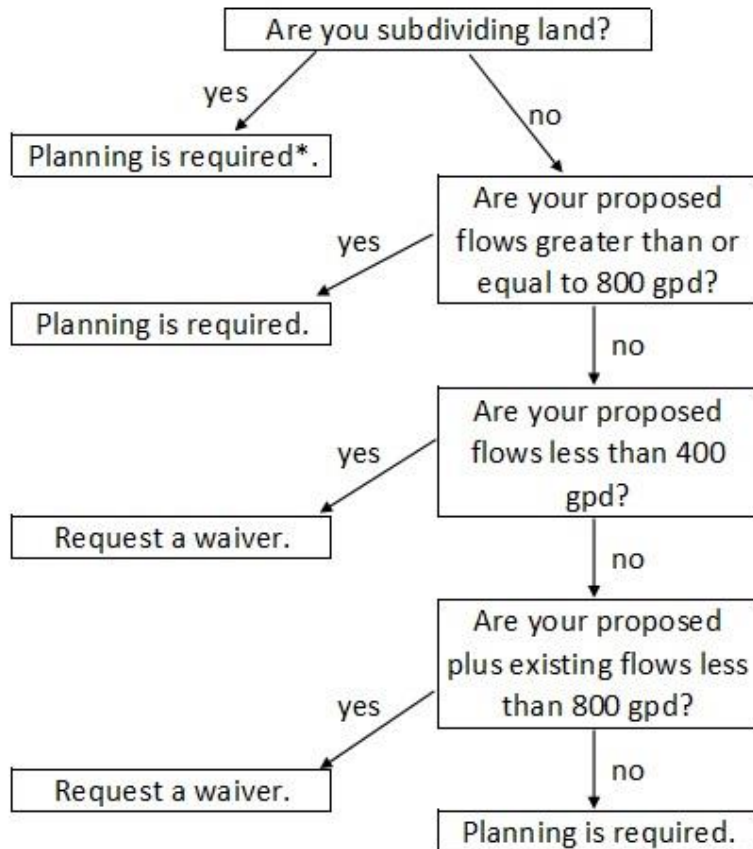
Name (Print) _____ Title _____

Municipality (must be same as in 2.b.) _____

Telephone # _____

- DEP will review and assign appropriate planning module forms, along with a code number

Requesting a Waiver



- How were your flows calculated?
- When was the lot created?
- Was the lot created as a building lot?

Waivers

Only DEP

can make a determination that
planning is not required!

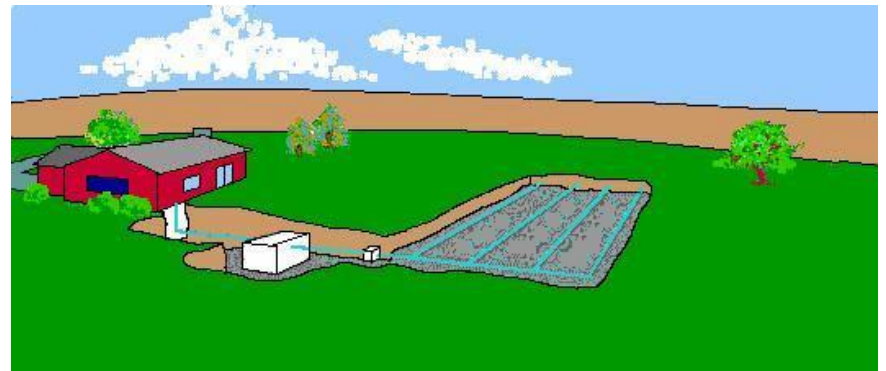


Exemptions from Planning

- Section 71.51 of DEP's regulations
- New land development projects
- On-lot and public sewer projects are eligible
- Not the same as a waiver/determination that planning is not required (is an official action of DEP)
- Not the same as an exception

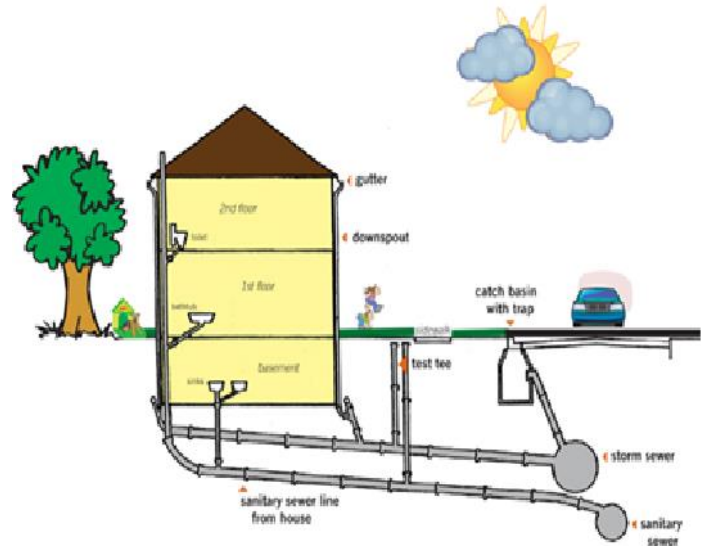
Who's Eligible for Exemptions? (On-Lot)

- Designated on-lot area
- Nitrate concentrations
- Carbonate geology
- Not HQ/EV
- All lots are at least 1 acre
- Primary & replacement areas
- CSL permit is not required



Who's Eligible for Exemptions? (Sewer)

- Municipal/Authority-owned
 - PUC system that submits Ch. 94 Report
- Complying with CSL
- Available capacity
- No projected overloads
- Act 537 Plan is being implemented
 - (not under an order to revise the Plan for the development area)
- CSL permit is not required



Who Needs a CSL Permit?

- Permit to construct and operate
- LVCOLDS
- Pump stations
- Low pressure force main
 - Not laterals
 - Regardless of the number of grinder pumps
- Gravity systems $\geq$ 250 EDUs (65,625 gpd)

What Should I Submit for an Exemption?

- Complete postcard
 - Address/coordinates
 - Not latitude/longitude
 - Section 6
 - Sewerage system
 - Existing or New
 - Public or Private
 - Pumped or Gravity
- Narrative
 - Greater detail re: project
 - How were flows calculated?
- PNDI and clearances

3800-CD-WSFR0359 Rev. 5/2010

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 e. USGS Quad Name _____
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 from bottom right corner of map.
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☐ Yes ☐ No

3. Type of Development Proposed (check appropriate box)

☐ Residential ☐ Multi-Residential
 Describe _____
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 Describe _____
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☐ Other (specify) _____

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b. ☐ Construction of Treatment Facility
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☐ Repair?

Name of waterbody where point of discharge is proposed
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Number of Holding Tanks _____
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 Name (Print) Title

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Telephone # _____

On-Lot Exemptions

- Signatures

- Municipal Mgr/Sec

- “The development area is an OLDS area.”

- SEO

- “Each lot has a suitable primary and replacement area.”

- Owner/Agent

- “Each lot is at least 1 acre.”

3800-CD-WSFR0359 Rev. 5/2010

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 Email _____

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 Describe _____
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Number of Holding Tanks _____
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 Name (Print) Title

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Telephone # _____

On-Lot Exemptions

- Also looking for
 - A plot plan showing soils testing, lots, etc.
 - Appendix A's signed by the SEO for all testing

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Public Sewer Exemptions

- Signatures
 - Municipal Mgr/Sec
 - “We have seen written capacity documentation from the permittees that will serve this project.”
 - “Our municipally-owned (not authority-owned) sewers have capacity for this project and no projected overloads.”
 - Not signed by other township personnel unless DEP has a letter on file
 - Not signed by Authority personnel

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Public Sewer Exemptions

- Also looking for
 - Certification of capacity letters
 - There is capacity to receive and treat the flows from the project.
 - The additional wasteload will not create an overload or a 5-year projected overload.
 - Plot plan showing lots, proposed sewers, connection to existing sewer, etc.

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a. County _____
 b. Municipality _____
 c. Address or Coordinates _____
 d. Tax Parcel # _____
 e. USGS Quad Name _____
 Inches up _____ over _____
 from bottom right corner of map.
 f. Located In a High Quality/Exceptional Value watershed?
☐ Yes ☐ No

3. Type of Development Proposed (check appropriate box)

☐ Residential ☐ Multi-Residential
 Describe _____
☐ Commercial ☐ Institutional
 Describe _____
☐ Brownfield Site Redevelopment
☐ Other (specify) _____

4. Size

a. # of lots _____ # of EDUs _____
 b. # of lots since 5/15/72 _____
 c. Development Acreage _____
 d. Remaining Acreage _____
 e. Sewage Flows _____ gpd

6. Proposed Sewage Disposal Method (check applicable boxes)

a. ☐ Sewerage System
☐ Existing (connection only) ☐ New (extension)
☐ Public ☐ Private
☐ Pump Station(s)/Force Main ☐ Gravity
 Name of existing system being extended _____

Interceptor Name _____
 Treatment Facility Name _____

NPDES Permit # _____

b. ☐ Construction of Treatment Facility
☐ With Stream Discharge
☐ With Land Application (not including IRSIS)
☐ Other
☐ Repair?
 Name of waterbody where point of discharge is proposed
 (if stream discharge) _____

c. ☐ Onlot Sewage Disposal Systems
 (check appropriate box)
☐ Individual onlot system(s) (including IRSIS)
☐ Community onlot system
☐ Large-Volume onlot system
☐ Retaining tanks
 Number of Holding Tanks _____
 Number of Privies _____

7. ☐ Request Sewage Facilities Planning Module forms in electronic format

8. Request for Planning Exemption

a. Protection of rare, endangered or threatened species
 Check one:
☐ The "PNDI Project Environmental Review Receipt" is attached.
 or
☐ A completed "PNDI Project Planning & Environmental Review Form," (PNDI Form) is attached. I request DEP staff to complete the required PNDI search for my project. I realize that my planning exemption will be considered incomplete and that the DEP processing of my planning exemption request will be delayed, until a "PNDI Project Environmental Review Receipt" and all supporting documentation from jurisdictional agencies (when necessary) is/are received by DEP.
 Applicant or Consultant Initials _____

b. ☐ Plot Plan Attached ☐ Site Reports Attached

c. Onlot Disposal Systems
 (1) I certify that the Official Plan shows this area as an onlot service area.

 (Signature of Municipal Official) Date

 Name (Print) Title

Municipality (must be same as in 2.b.) _____

Telephone # _____

(2) I certify that each lot in this subdivision has been tested and is suitable for both a primary and replacement sewage disposal system.

 Signature of SEO Date

 Name (Print) Certification #

Telephone # _____

(3) I certify that each lot in this subdivision is at least 1 acre in size

 (Signature of Project Applicant/Agent) Date

d. Public Sewerage Service (i.e., ownership by municipality or authority)

Based upon written documentation, I certify that the facilities proposed for use have capacity and that no overload exists or is projected within 5 years. (Attach documents.)

 (Signature of Municipal Official) Date

 Name (Print) Title

Municipality (must be same as in 2.b.) _____

Telephone # _____

What Was Wrong with Them?

- Flows
- Plot plan
- Municipal signature
- Certification of capacity
- 6.a
- PNDI
- Other





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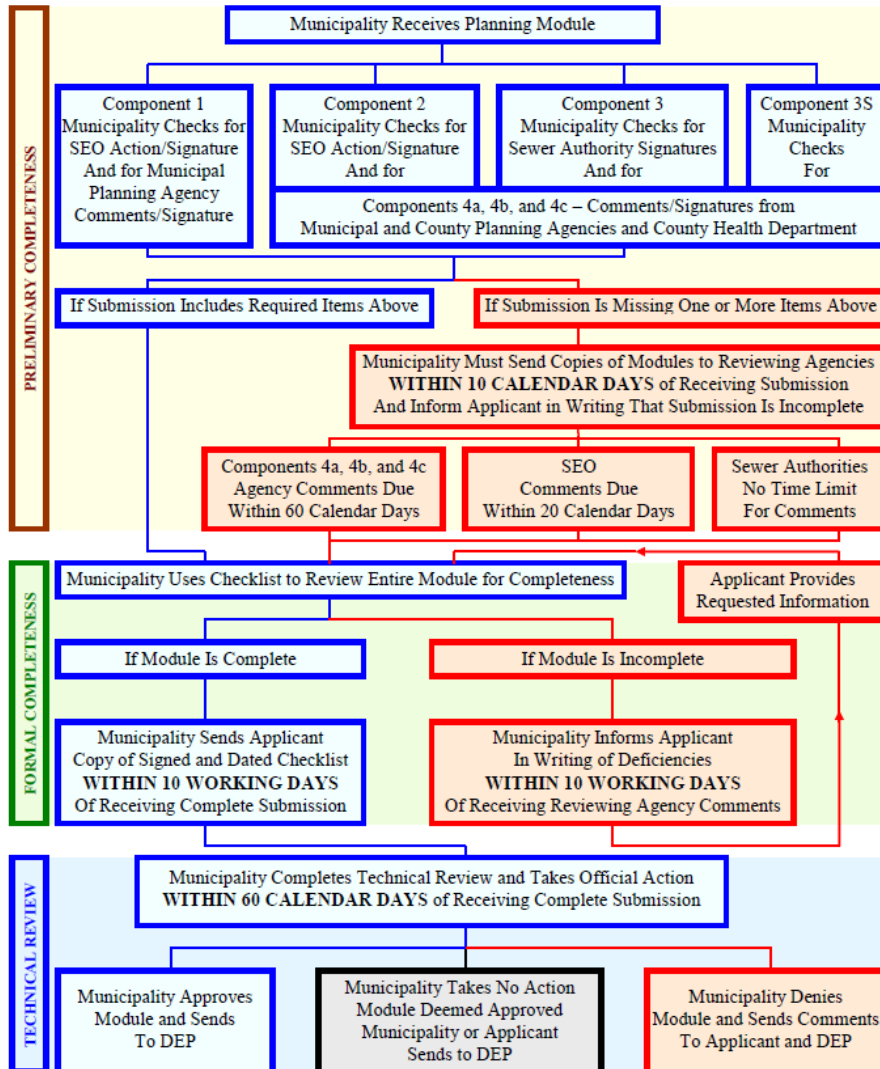
Sewage Facilities Planning Modules

Planning Modules

Component 1	Component 2	Component 3	Component 3s	Others
OLDS; 10 lots or less; 5/15/72; single-family dwellings	OLDS; retaining tanks, COLDS, LVOLDS	Sewers; LVOLDS	SFTF with flows < 2,000 gpd	Component 2m Component 3m
	Resolution of Adoption			
	Transmittal Letter			
	Component 4a (municipal planning agency)			
	Component 4b (county planning agency)			
	Component 4c (county health department)			

Processing Through the Township

Municipal Flow Chart for Processing Planning Modules



- Preliminary completeness
- Formal completeness
- Technical review
- Municipal action

Processing Through DEP

- Administrative review
- Technical review
- DEP action

2016-2017

42 planning modules reviewed

35% = no technical review letter needed



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The Pitfalls

Common Problems – All Planning Modules

- ✓ boxes
- All sections that need a signature are *Signed*

Common Problems – All Planning Modules

- PNDI
- Consider the comments of the municipal/county planning agency & the county health department
- Resolutions of Adoption

Common Problems – All Planning Modules

- Plot Plan
- Narrative
- Alternative Analysis
- Proposed Flows

Common Problems – Component 3

- Map showing the path of the sewage
- Table in Section J
- Systems under a prohibition
- NPDES & CSL permit numbers

Common Problems – Component 2

- ALL soils information
 - Appendix A's
 - Plot plan
- Marginal conditions

Common Problems – Component 3s

- Perennial vs. Not Perennial



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Act 12 of 2016

Act 12

Sewage planning may be required prior to the sale of any system (or portion thereof). Municipalities and authorities who are contemplating the sale of their systems should contact DEP to determine if planning is required.



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