



Pennsylvania Department of Environmental Protection

2 East Main Street
Norristown, PA 19401

November 20, 2007

Southeast Regional Office

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Mr. Mark Mitman
The Mitman Group, LLC
25 West Broad Street
Bethlehem, PA 18018

Re: On-lot Sewage Planning Issues

Dear Mr. Mitman:

On September 27, 2007, representatives from the Department of Environmental Protection (Department) met with you, as well as other members of the Home Builders Associations of the Southeast Region of Pennsylvania, to discuss implementation of on-lot sewage planning regulations and policies.

The following summarizes the meeting discussions, providing the Department's position on the issues in your draft meeting notes, with similarly numbered items. For some issues, your comments were accurate and were used without revision.

For single-family homes served by on-lot systems, the following addresses plan revisions and permitting:

1. Estimated flows must be listed on the planning module submissions. It is acceptable to fractionalize the number of homes in calculating those estimates. Where a specific number of bedrooms is known (e.g., 4 or 5 bedrooms), those flows should be used, otherwise 400 gpd per lot is acceptable for planning, with permitting to reflect the specific number of bedrooms when known. For individual on-lot submissions, those flows do not translate into the maximum number of bedrooms permitted in the subdivision.
2. For the purposes of planning, one house = 1 EDU.
3. Planning module submission fees are based on the number of proposed lots not the estimated future flows.
4. Local agency permits need to be consistent with the Department planning approvals. Since the Department approvals will no longer specify technology or sewage flows, local permitting agencies need to do independent assessments of each lot at the permitting stage.

5. The number of bedrooms per dwelling will not be referenced in planning approvals. In addition, the Department will not be requiring revised planning modules for changes on the number of bedrooms made during permitting.
6. General site suitability is determined based on one test pit and one six-hole percolation test passing in each soil type as defined by soils series, slope, and erosion class. This is the minimum requirement for determining site suitability. Section 71.62(b)(2)(iii) requires that soil profiles be performed to insure that an adequate area with suitable soils is available in the area of the proposed system. Section 71.62(b)(2)(iv) requires that the percolation tests be conducted in the area where the systems are to be installed.

Selection of an alternative to adequately address both the present and future sewage needs:

1. In a planning module submission, a municipality must select one of the four available options and justify why the selected option is adequate to provide long-term sewage facilities for the proposed subdivision. An Operation and Maintenance (O&M) Agreement is one of the four possible choices.
2. If a municipality chooses an O&M Agreement, a signed and executed O&M Agreement must be included in the planning module package in order for the module to be deemed complete. On a limited case-by-case basis, the Department will accept draft O&M agreements at the time of planning, for submissions requiring a Department permit, however, the executed O&M Agreement must be submitted with the permit application.

Preliminary Hydrogeologic Evaluation:

1. One trigger for a preliminary hydrogeologic evaluation is when a subdivision proposes more than 50 lots with a density of more than one home per acre.
2. If nitrate levels in well sampling data exceed 5.0 ppm within a ¼ mile of a proposed subdivision, a hydrogeologic evaluation is needed. Supporting data can come from drinking water wells, although drinking water wells do not generally reflect conditions in the shallow aquifer. A monitoring well that is intended to show background (upgradient well) for an existing sprayfield site may be an appropriate data source for determining whether a hydrogeologic evaluation is necessary.
3. When conducting preliminary hydrogeologic evaluations, a flow of 262.5 gallons per house per day, will be used.

4. Pennsylvania Natural Diversity Inventory (PNDI) "hits" are determined by the response received from the responsible agency, not the preliminary determination made by using the Internet PNDI tool. Conflicts identified in the response letter from the appropriate agency need to be published, regardless of whether those conflicts have been resolved.
5. If a planning module is received with a valid PNDI determination, the Department will consider it valid until a decision is made on the planning submission.

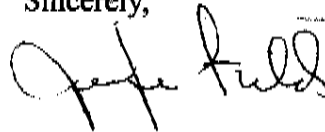
Miscellaneous on-lot planning/permitting issues:

1. The Department requires any on-lot system using the soil for renovation to be designed using the standards in Chapter 73. There is recognized confusion regarding the requirements of Chapter 73, and the *Domestic Wastewater Facilities Manual*. The *Manual for Land Application for Treated Sewage and Industrial Wastewater* (362-2000-009) is presently under revision and design requirements will be clarified.
2. A grinder pump with a lateral connection to a publicly owned gravity sewage system is not considered a pumping station, and may qualify for an exemption from planning. Planning/permitting will be necessary for the first grinder pump in a municipality; however, subsequent pumps may qualify for exemptions if an appropriate ordinance has been adopted by the municipality. Grinder pumps with lateral connections to a common force main require planning.
3. Soil testing notification to the Department is required; however, a Department representative is not required to be present for soil testing unless the testing is for a Department issued permit, or the testing is for replacement systems. Also, if the testing is for primary and replacement systems to address marginal conditions and is performed by a professional consultant, the Department will decide upon notification as to whether they will be present or not for any required testing. The applicant must follow the instructions in the planning module.
4. Crop Management Plans required for managing crop uptake of nutrients are not required to be submitted during planning. The Department guidance entitled *Site and Soil Preparation and Vegetation Establishment Plan*, is not guidance for a Crop Management Plan. This guidance document has been provided to allow proposed land application sites to establish a cover crop with a minimum of site disturbance prior to planning approval and permitting, to assure that drip tubing installed late in the fall will have adequate cover to eliminate freezing problems.

It is important to note that Department is working to develop guidance documents for several of the issues that were discussed. It is expected that any formal guidance that is finalized will supersede the conclusions of this letter. Therefore, we are not notifying the local permitting agencies regarding this letter, but will work to clarify any problems that arise for specific cases between now and the time any of the related final guidance becomes available.

If you have any questions, please call me at 484-250-5192.

Sincerely,



Jenifer Fields, P.E.
Regional Manager
Water Management

cc: Mr. Sherman
Ms. Aunkst
Mr. Furlan
Mr. Feola
Mr. Dudley
Mr. Cleaver
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