

Sewage Advisory Committee Workgroup comments related to
proposed regulatory revisions in support of new land
development utilizing alternate onlot systems – meeting date
12/3/14

Chapter 71

General comment: Every effort should be made to make the proposed revisions growth control neutral. If a municipality must do “something” in order to support the use of certain technologies but not others, it is human nature to gravitate toward those technologies requiring that “nothing” additional be done. Said another way, if sewage management is required for alternate systems but not for conventional, then only conventional systems will be permitted and installed even though alternate systems are available that may allow new land development not supported by conventional systems.

Definitions:

Limiting Zone – recommended language per PA Association of Professional Soil Scientists (PAPSS)

§71.55(a)(2) – see inserted language in blue. Self explanatory

§71.62(b) - see inserted language in blue. Self explanatory

§71.62(b)(2)iii – see insertions and deletions in blue. SAC feels it is unnecessary to design an onlot system in order to obtain planning approval. If the site meets the siting requirements for an onlot system, conventional or alternate, that portion of planning approval requirements has been satisfied.

§71.62(e) – delete. SAC feels that this section is an inappropriate requirement targeting a specific class of systems. This requirement should apply to all systems or to none. Additionally, the maintenance requirements for each alternate technology or system are stated in their respective listings while 71.62(d) and 71.71 already requires that operation and maintenance of all sewage facilities be provided for by the municipality.

Chapter 72

Definitions:

Qualified Soil Scientist, & Soil mottling – Qualified Soil Scientist definition shown as modified by DEP based on ARCPACS no longer existing. The former ARCPACS was replaced by SSSA as the certifying body for soil scientists. There is also no longer a soil specialist certification. Soil mottling definition should similarly reflect the language from the Act.

Soil horizon, Soil profile, Soil mottling – Recommends removal with the following comment: "Soil horizon", "Soil profile", and "Soil mottling" appear in the definitions section of Chapter 72 only. They **do not appear** anywhere else in Chapter 72 and should be removed from §72.1. Definitions.

§72.25 – see comment in blue at end of section. Self explanatory

Chapter 73

General comments:

Technologies or systems that do not rely on percolation testing (i.e. drip irrigation) should be acceptable for gaining planning approval. Accordingly, provisions should be made in chapter 73 for this.

Planning, once approved, regardless of the technology or system proposed, should not need to be revisited in the future even if the system or technology selected changes unless the siting criteria forming the basis for planning approval (and contained in the approval) do not support the installation of the subsequently proposed system. This will be apparent to the SEO upon receipt of a design for the onlot system to be installed on the site. Revisiting planning is a resource intensive activity on the part of the DEP, municipalities and SEO's and every effort should be made to minimize those occurrences.

This chapter recognizes the existence of, or the approval in the future of systems and technologies that do not adhere to the specific language contained in this chapter. Every effort should be made to avoid a future expenditure of resources by the DEP, advisory committees, and stakeholders who need to review and re-review these regulations for the purpose of codifying that which has been accepted as legitimate by the DEP. We implore the Department to craft the language in this and other related chapters to allow common sense application of proven technologies without constant changes to these chapters.

Definitions:

Hydraulic Linear Loading Rate, Infiltration Loading Rate, Limiting Zone, Redoximorphic Features & Soil morphological evaluation – recommended language per PAPSS inserted.

Qualified Soil Scientist, & Soil mottling – Qualified Soil Scientist definition shown as modified by DEP based on ARCPACS no longer existing. The former ARCPACS was replaced by SSSA as the certifying body for soil scientists. There is also no longer a soil specialist certification. Soil mottling definition should similarly reflect the language from the Act.

Other comments relating to definitions are self explanatory. Recommended *Filter tank* definition removal based on wide variety of filter tanks now in use containing various media.

§73.14(a)(6) – see suggested changes in blue. SAC believes that a morphological evaluation of soils by a qualified soil scientist or perc testing should be an acceptable basis for planning approval regardless of the depth to limiting zone. In the case of perc tested sites, absorption area would be determined by the perc rate. For sites where a morphological evaluation has been performed, absorption area sizing would be based on the hydraulic linear loading rate assigned by the soil scientist. In those cases where perc testing is impractical (<20" to LZ) DEP currently accepts morphological evaluations for system sizing. There is no scientific basis for why this same protocol should not be afforded to sites with greater depths to the LZ.

Furthermore, the necessity to perform perc testing at LZ's greater than or equal to 20" when proposing a system whose sizing is based on a morphological evaluation (i.e. drip irrigation) is an unjustified expense to the property owner.

§73.14 - Additional suggestions are self explanatory.

§73.15 – Suggested changes self explanatory

§73.16 – this section should allow for the use of drip irrigation and loading rate information should be inserted.

§73.51 – This section is inconsistent with the construction of absorption areas utilized with many alternate systems and should be modified to allow for all technologies, and preferably worded so that future technologies can be supported without a resource intensive revision to the regulations.

§73.55 - Suggested changes self explanatory

§73.72(b) – see comment in blue. The current language doesn't seem to recognize that every alternate system need not be submitted to DEP for classification. Certain alternate systems have been recognized as meeting the requirements of alternate systems and need no site specific classification as such.

In addition to the above comments, the following suggestions are made based on PAPSS input:

- Sections in Chapter 73 referencing "seasonal high water table" recommended to be replaced with "prolonged saturation" to match proposed definition for *Limiting Zone*.

Chapter 73.1 Definitions - *Limiting Zone*

Chapter 73.14(a)(5)(ii) Absorption areas

Chapter 73.14(b)(6) Spray fields

Chapter 73.14(c) Soil morphological evaluation

- Sections in Chapter 73 referencing "bedrock" or "rock formation" recommended to be made consistent as "rock formation" to match proposed definition for *Limiting Zone*.

Chapter 73.1 Definitions - *Limiting Zone*

Chapter 73.14(a)(5)(ii) Absorption areas

Chapter 73.14(b)(6) Spray fields

Chapter 73.14(c) Soil morphological evaluation

Chapter 73.15(3)(ii) Percolation tests

Chapter 73.16(e) Spray fields, Table B