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# Chapter 71a

**A Presentation for SAC**  
**March 11, 2009**

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# Chapter 71a ...an overview

- Replace Chapter 71 with 71a
- Change Organizational Structure
  - Four Subchapters Replace Six
  - Section Numbering
  - **Section Grouping**
- More Intuitive
- Minimize cross reference



# Chapter 71a Subchapters

- A. ... General
  - Definitions
- B. ... Planning Process
  - Who, What, When, & How
- C. ... Planning Factors
  - Content, General & Specific Requirements
- D. ... Administration
  - Grants, Fees, Delegation & Coordination



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# General A .1 - .3

## □ New & Changed Definitions

- Decentralized Wastewater Management Structure
- New Land Development
- Sewage/Blackwater/Graywater
- Sewage Disposal
- Soil Absorption Area
- Water Reuse



# Planning B .101 - .106

## □ Responsibilities Group

- General Requirements
- Municipal Responsibility to Revise
- Exemptions from Responsibility to Revise
- Exceptions to Requirement to Revise
- Department Responsibility
- Private Request

## □ Process Group ... (Slide 9)



# Planning B

- 71a.101 General
  - Review & Report - “Adequate” –
  - 10 Year Cycle
  - Adequate vs. Current
  
- 71a.102 Municipal Responsibility to Revise
  - ... No significant changes



# Planning B

- 71a.103 Exemption ... (Onlot)
  - Approved method to assure long term O & M.
  - Minimum ratio of 1 acre/EDU
  - Deed restrictions to protect replacement area
  - Current & approved Act 537 plan that is being implemented.
- 71a.103 Exemption ... (Sewers)
  - Permit requirement or condition.
  - Current & approved Act 537 plan that is being implemented.



# Planning B

- 71a.104 Exception ...
  - Not within ¼ mile of NO<sub>3</sub> >5 PPM
  - Current & approved Act 537 plan that is being implemented
  - MPC, AG, Storm..., Wetlands & PNHP
  - Long term O & M
- 71a.105 DEP to require
  - 180 day prep & SMP
- 71a.106 Private Request
  - No significant changes





# Planning B .121 - .123

## □ Process

- Planning Process (Municipal)
  - Official Plan, Revisions, Exceptions
- Planning Process (Department)
  - Official Plan, Revisions, Exceptions, Compliance
- Planning Process (Delegated Agency)
  - No significant changes



# Planning B

- 71a.121 ... process (Municipal)
  - Clarify
  - POS & TAR
  - Consistency Conflicts Resolved
  
- 71a.122 ... process (Department)
  - Complete vs. Technical Deficient
  - Clock Starts & Stops
  - Total Review Periods Unchanged
    - (i.e. 180, 120, 60, & 30 days)



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# Factors C

## .201-.202 & .221-.224

### □ General Plan Content

- Official Plan Content
- Planning Module Content

### □ General Requirements

- Alternatives Evaluation
- Planning Consistency
- SMP
- Publishing



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# Factors C .241-.248

## □ Specific Plan Requirements

- Individual & Community Sewage Systems
- Soil permeability
- Hydro
- Retaining Tanks
- Holding Tanks
- Privies & Chemical
- Composting
- SFTF



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# Factors C

- 71a.201 Official Plan Content
  - Ground water quality
  - Sanitary survey
  - Decentralized wastewater management
  
- 71a.202 Planning Module Content
  - No significant changes



# Factors C

- 71a.221 Alternatives Evaluation
  - Long term O & M
  - Cross to specific requirements
  
- 71a.222 Consistency
  - Separated list of 11 into 14
  - Resolved prior to submission



# Factors C

- 71a.223 Sewage Management
  - Compiled from throughout
  - More details
  
- 71a.224 Publishing
  - Clarified (Official Plan, NLD & DEP)
  - Compiled



# Factors C

- **Specific Requirements**
  
- 71a.241 Indiv & Community Systems
  - Onlot Site Suitability Criteria
    - Individual Lot, LZ & Soil Morph, Slopes
    - Cross reference to more specific sections





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# Factors C

- 71a.242 Permeability
  - More conservative of perc & perm
  
- 71a.243 Hydrogeology
  - Revised triggers
  - New section for detailed studies
  
- 71a.244 Retaining Tanks
  - No significant changes



# Factors C

- 71a.242 Permeability
  - More conservative of perc & perm
  
- 71a.243 Hydrogeology
  - Revised triggers
  - New section for detailed studies
  
- 71a.244 Retaining Tanks
  - No significant changes



# Factors C

- 71a.246 Privies & Chemical Toilets
  - No significant changes
  
- 71a.247 Composting Toilets
  - New section
  - Comp/Graywater Combos
  - Stress O & M issues
  
- 71a.248 Small Flow Treatment Facilities
  - More restrictive uses



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## Administration D .301 - .304

- Planning Grants
- Fees for NLD
- Delegation of NLD
- Coordination between DEP & DA



# Administration D

- 71a.301 Planning Grants
  - Three year eligibility
- 71a.302 Fees
  - Cumulative (flows & types)
  - Includes Exemptions
- 71a.303 Delegation
  - Five year terms & renewal
- 71a.304 DEP/LA Coordination
  - No significant changes

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# Chapter 71a



**pennsylvania**

DEPARTMENT OF ENVIRONMENTAL PROTECTION

# Chapter 72a

A Presentation for SAC

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# Chapter 72a

- ◆ Section Number Change
  - Future Expansion
  - Subchapter C - Administration
    - ◆ 72a.61-.64
  - Subchapter D - SEO Certification
    - ◆ 72a.81-.88
  
- ◆ Info Added to Following Sections



# Chapter 72a

## ◆ 72a.1 Definitions

- Abandon Activity

  - ◆ Permanent, pump & collapse, safety issue

## ◆ 72a.22 Activities requiring a Permit

- Abandonment

- Minor permit

## ◆ 72a.27 Expiration & Transfer

- Confirmation Optnl 1<sup>st</sup> & Reqd 2<sup>nd</sup> time

# Chapter 72a

- ◆ 72a.35 Variance from Standards
  - LA discretion
  - Similar to traditional BTG
  - Must be documented
  - Sales Agreement Notice
  
- ◆ 72a.61/62 Powers & Duties of ...
  - Upon Termination, SEO / LA Request Evaluation

# Chapter 72a

- ◆ 72a.63 Powers & Duties of ...
  - Evaluation Upon Request (both)
  - Authorize SEO Training Fee
- ◆ 72a.64 Reimbursement
  - Clarify cost eligibility for SMP
  - Authorize SMP Authority

# Chapter 72a

