

MEMORANDUM

Posted: May 2, 2013 10:03 AM

From: [Representative David Maloney](#)

To: All House members

Subject: Amending the Act 537 to provide that onlot systems approved by DEP meet anti-degradation requirements. - This legislation is similar to my HB 1212 but contains important distinctions and I will pursue this language instead.

Pennsylvania is home to more than 1 million onlot sewage systems serving an estimated 3.7 million residents. At the same time, there are more than 6090 stream miles of designated High Quality and Exceptional Value waters in the Commonwealth, and there are approximately another 2500 stream miles that meet these criteria. Clearly, we have some of the finest streams in the nation. And, we've been able to protect our water while balancing the need for onlot systems.

However, following a recent legal challenge to DEP's approval of an onlot septic planning module (Pine Creek Valley Watershed Assoc. v. DEP) the department proposed new guidance for onlot systems within High Quality and Exceptional Value Watersheds. It has since become clear through public input that the proposed guidance would be impractical; leaving DEP with no approach with which to rely upon when approving development projects using onlot systems in HQ and EV watersheds.

Therefore, in the near future, I will introduce legislation amending the Act 537 to provide that onlot systems approved by DEP under current Act 537 requirements meet anti-degradation requirements. This will allow us to continue to protect our waterways while balancing growth as we have traditionally met these needs across the Commonwealth.

This legislation is similar to my HB 1212 but contains important distinctions and I will pursue this language instead. Co-sponsors of HB 1212; MAJOR, HEFFLEY, PICKETT, MILLARD, ROCK, SCAVELLO, R. BROWN, TOOHIL, MOUL, EVERETT, SIMMONS, PEIFER, CAUSER, MACKENZIE and BAKER.

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