

MEMORANDUM

Posted: May 10, 2013 04:36 PM
From: [Senator Lisa Baker](#)
To: All Senate members
Subject: Amendments to Act 537 for Onlot Anti-degradation

Please join me in sponsoring legislation to amend Act 537 to provide that onlot systems approved by DEP under current requirements meet anti-degradation standards.

Enacted in 1966 to correct and prevent sewage disposal problems, Act 537 requires municipalities to develop and implement a base plan to provide for the future sewage disposal needs of new land development and the future sewage disposal needs of the municipality. Current onlot septic system practices include site-specific soil analysis, inspection repair programs, replacement systems, proper siting and other stringent requirements.

There are more than 1 million onlot sewage systems serving an estimated 3.7 million rural Pennsylvania residents. There are also 6,090 stream miles designated High Quality (HQ) and Exceptional Value (EV) in the Commonwealth and another 2,500 stream miles that meet the criteria but are not designated. Historically, we have been excellent stewards of our water.

Following the recent legal challenge to DEP's approval of an onlot septic planning module in Pine Creek Valley Watershed Association v. DEP, the department has proposed a guidance document for onlot systems within HQ and EV watersheds.

It has become clear through public input from area sewage enforcement officers, county planners, local government officials, businesses, builders, school districts and others that the proposed guidance document offers an unreasonable approach to water quality protection and fails to utilize science-based techniques. Additionally, the estimated \$8,500 to \$22,000 in new costs would be detrimental for businesses and residents in need of new septic systems or upgrades.

This legislation will allow DEP to move forward to continue to protect our waterways without devaluing businesses, prohibiting expansion and threatening economic vitality.

The Pennsylvania State Association of Township Supervisors and the County Commissioners Association of Pennsylvania are supportive of this effort.

Thank you for your consideration.