

TITLE 25, CHAPTER 71 PA DEP

§ 71.73. Sewage management programs for sewage facilities permitted by local agencies.

(a) When sewage facilities are permitted by local agencies, the municipality is responsible for taking actions necessary to assure continued compliance of these sewage facilities with the act, The Clean Streams Law and regulations promulgated thereunder.

(b) When an official plan or official plan revision shows, or the Department determines, that existing sewage facilities permitted by the local agency need periodic inspection, operation or maintenance to provide long-term proper operation, or are not properly functioning because of inadequate operation and maintenance, the municipality shall revise its official plan to establish a sewage management program for these types of facilities. The update revision shall include the following as a minimum:

(1) Identification of the specific legal authority to be used by municipal officials and their designated employees to enter lands and make inspections of onlot sewage facilities. The policy concerning a schedule of inspections and methods of notification of landowners of this policy shall be included.

(2) Standards consistent with section 8(b)(9) of the act (35 P. S. § 750.8(b)(9)) for operation, maintenance, repair or replacement of sewage facilities which include:

(i) Removal of septage or other solids from treatment tanks once every 3 years or whenever an inspection program reveals that the treatment tanks are filled with solids in excess of 1/3 of the liquid depth of the tank or with scum in excess of 1/3 of the liquid depth of the tank.

(ii) Maintenance of surface contouring and other measures, consistent with Chapter 73 (relating to standards for onlot sewage treatment facilities) to divert stormwater away from the treatment facilities and absorption areas and protection of the absorption areas from physical damage.

(iii) Requirements for the use of water conservation devices to reduce hydraulic loading to the sewage system.

(iv) Requirements for the operation and maintenance of electrical, mechanical and chemical components of the sewage facilities; collection and conveyance piping, pressure lines and manholes; alarm and flow recorder devices; pumps; disinfection equipment and related safety items.

(v) Requirements for septage pumpers/haulers which are consistent with the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

(vi) Requirements for holding tank maintenance.

(3) A discussion of the specific requirements of the sewage management program and administrative or legal functions needed to carry out the program.

(4) Establishment of a fee schedule for the cost of municipal services related to implementing the provision of the sewage management program.

(5) Identification of the authority to be used to enforce the requirements of the sewage management program or restrain violations of the program.

(6) Identification of penalty provisions for violations of the program requirements.

(7) Draft ordinances, regulations or policies which relate to the sewage management program.

(8) Other requirements consistent with the act and The Clean Streams Law.

(c) When the official plan update identifies a local agency as the entity responsible for administering a municipal sewage management program and when the local agency identified in the official plan update agrees to administer the program, the local agency is eligible for reimbursement of eligible costs for administrative and personnel expenditures to implement sewage management programs under § 72.44 (relating to reimbursement).

(d) When the official plan identifies the municipality as the entity responsible for administering a municipal sewage management program and when that municipality's onlot system permitting program is administered by a multimunicipal local agency or a county or joint county department of health, the municipality is eligible for reimbursement of eligible costs for the administrative and personnel expenditures to implement a sewage management program. Application for eligible costs shall be submitted by the municipality in accordance with the provisions of § 72.44.

Authority

The provisions of this § 71.73 amended under section 9 of the Pennsylvania Sewage Facilities Act (35 P. S. § 750.9); The Clean Streams Law (35 P. S. § § 691.1—691.1001); and section 1920-A of The Administrative Code of 1929 (71 P. S. § 510-20).

Source

The provisions of this § 71.73 adopted August 2, 1971, effective August 3, 1971, 1 Pa.B. 1649; amended April 28, 1972, effective May 15, 1972, 2 Pa.B. 753; amended February 28, 1975, effective March 17, 1975, 5 Pa.B. 374; reserved January 9, 1987, effective January 10, 1987, 17 Pa.B. 172; amended June 9, 1989, effective June 10, 1989, 19 Pa.B. 2429; amended November 7, 1997, effective November 8, 1997, 27 Pa.B. 5877. Immediately preceding text appears at serial pages (206596) to (206597).

Cross References

This section cited in 25 Pa. Code § 71.64 (relating to small flow treatment facilities); and 25 Pa. Code § 72.25 (relating to issuance of permits).