



Onsite Wastewater Super Conference 2026

Overview of Newly Proposed
Onsite Wastewater Facilities
Regulations – Chapter 71

Camp Hill, PA
February 2, 2026



Overview of Newly Proposed Onsite Wastewater Facilities Regulations – Chapter 71

"DEP has approved this conference for SEO continuing education conference credits. The approval is based on the organization's narrative for the overall conference and each breakout session. DEP has not reviewed the content of the conference and does not guarantee that the sessions provide complete and accurate information about Pennsylvania's Sewage Facilities Act, the regulations promulgated thereunder, and DEP policy."

Overview of Newly Proposed Onsite Wastewater Facilities Regulations – Chapter 71

- Proposed Chapter 71 Regulations – Administration of Sewage Facilities Planning
- Proposed Chapter 72 Regulations – Administration of Sewage Facilities Permitting
- Proposed Chapter 72 Regulations – Standards for Onlot Sewage Treatment Facilities

Overview of Newly Proposed Onsite Wastewater Facilities Regulations – Chapter 71

- Proposed Chapter 71 Regulations – Administration of Sewage Facilities Planning

- New Definitions:

- **Absorption Area** - A component of an individual or community onlot sewage system where effluent from a treatment tank seeps into the soil; it consists of soil or an aggregate-filled area containing subsurface piping or tubing for the distribution of effluent.

- **Dwelling** – A structure or building, or any portion thereof which is used, intended or designed to be occupied for temporary or permanent residence including, houses, mobile homes, hotels, motels, cabins, and apartments.

- **Qualified Soil Scientist** - A person certified as a sewage enforcement officer and who has documented 2-years' experience in the characterization, classification, mapping and interpretation of soils as they relate to the function of onlot sewage disposal systems and has either a Bachelor of Science Degree in soil science from an accredited college or university or is a Certified Professional Soil Scientist or Certified Professional Soil Classifier registered by the Soil Science Society of America.

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- Proposed Chapter 71 Regulations – Administration of Sewage Facilities Planning

- New Definitions:

- Redoximorphic Features - Concentrations and depletions of iron (Fe) and manganese (Mn) compounds in the soil resulting from periods of prolonged soil saturation. The presence of redoximorphic depletions in a soil horizon is indicative of a seasonal high water table limiting zone. Redoximorphic features are a form of soil mottling.

- Portable Restroom Trailer (Retaining Tank) – A mobile unit with self-contained water and sewage storage used on a temporary basis for an event. They may be outfitted with complete facilities including running water, flushable toilets, showers and sinks.

- Service Provider - An individual, company, or other entity who is trained to provide prescribed operation of, and maintenance to a sewage facility or individual components of the sewage facility.

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- Proposed Chapter 71 Regulations – Administration of Sewage Facilities Planning

- New Definitions:

- **Soil Morphological Evaluation** – A soil probe and site investigation performed by a qualified soil scientist that interprets soil profile characteristics and the land surface features to determine site suitability for certain onlot sewage systems and is used to define appropriate infiltration and horizontal linear loading rates used for disposal system design.
 - **Soil Profile** – A soil excavation, dug by mechanical means and large enough for safe personal entry, used to describe and record the soil profile, including the depth and type of limiting zone if one exists, as part of the site evaluation.

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- Proposed Chapter 71 Regulations – Administration of Sewage Facilities Planning
 - If a municipality does not have an approved plan, it shall be subject to limitations on the issuance of on-lot sewage system permits or connection to public sewage facilities for new construction purposes.
 - Would require a private request to revise official plan.
 - Official Plans, Update Revisions and Special Studies – Who is responsible for what?
 - Official Plan must include a Sewage Management Plan
 - (b) Municipalities are required to establish a sewage management program that assures the proper operation and maintenance of sewage facilities within their borders. Proper operation and maintenance of sewage facilities is essential to the provision of adequate sewage treatment and disposal over the functional life of a sewage treatment system. Municipalities shall, therefore, address long-term operation and maintenance in official plans and update revisions through a sewage management program as specified in Subchapter E (relating to sewage management programs).

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➤(71.11) General Requirements.

- (a) Municipalities are required to develop, **maintain**, implement and **revise, as necessary, complete** official plans that provide ... for the future sewage disposal needs of the municipality
- (b) Municipalities are required to **establish a sewage management program that assures** the proper operations and maintenance of sewage facilities within their borders. Proper operation and maintenance of sewage facilities is essential to the provision of adequate sewage treatment and disposal over the functional life of a sewage treatment system. Municipalities shall, therefore, address long-term operation and maintenance in official plans and **update** revisions **through a sewage management program as specified in Subchapter E (relating to sewage management programs)**.
- (c/d) **Municipalities** shall **develop and** submit official plans and **update** revisions to the Department for approval. Once approved, **municipalities shall implement official plans and update revisions in accordance with the act**.
- (e) **Each municipality shall review its official plan and provide written confirmation of the continued adequacy of the plan to the Department every 10 years...**
- (f) **Municipalities that do not have an approved official plan, or fail to revise, or fail to implement an official plan when required, shall be subject to limitations on the issuance of onlot sewage system permits or connection to public sewage facilities as specified in 72.23 and Chapter 94.**

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- (71.12) Municipality shall review and revise official plan or any of its parts when:
 - (1) Municipality or the Department determines that the official plan or any of its parts are inadequate
 - (2) The official plan, or any of its parts, is inadequate to meet the sewage needs of new land development.
 - (3) **There is an increase in sewage flow on an existing sewage generating lot of one EDU or more and the total flow is two EDUs or more.**
 - (4) **There is a new sewage flow of two EDUs or more.**
 - (5) **There are new facts produced that would have resulted in the disapproval of an exemption from sewage facilities planning for new land development or an exception to revise the official plan for new land development if the facts had been known at the time of the project's approval.**
 - (6) **There is a change from either a system permitted by the Department, or retaining tank permitted by either the Department or local agency, to an onlot sewage system permitted by a local agency.**

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- (71.12) Municipality shall review and revise official plan or any of its parts when: continued...
 - (7) There is a proposed disconnection of sewage from a sewage treatment facility.
 - (8) There is a change in ownership of a sewage treatment plant, conveyance, or sewage collection system.
 - (9) The implementation and administration of the municipality's official plan is affected by the official plan or update revision of another municipality.
 - (10) There is a new subdivision where the proposed establishment on the lot is expected to produce sewage, except as provided by §§ 71.55 and 71.56a (relating to exceptions to the requirement to revise the official plan; and exemptions from the requirement to revise the official plan for new land development).
 - (11) A permit is required from the Department for sewage facilities under section 5 of the Clean Streams Law (35 P.S. § 691.5).
 - (12) There is use of new retaining tanks and retaining tanks not accounted for in the official plan, except when abating a malfunctioning onlot sewage system under § 72.35 (relating to correction of malfunctioning onlot sewage systems).

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71.21 through 71.54 (condensed)

- Municipality consults with the Department to set the scope, content, and timeline and submits a Task/Activity Report before planning begins.
- The plan analyzes physical, environmental, and demographic conditions, including water resources and population trends.
- Existing and future sewage facilities and onlot systems are identified, evaluated, and problem areas documented.
- Feasible sewage alternatives are identified, evaluated for cost, compliance, and implementability, and one preferred alternative is selected with an implementation schedule.
- The plan undergoes agency review and public comment, is adopted by municipal resolution, and submitted to the Department for approval.

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➤ **New Requirements for Act 537 Land Development Plans (71.62):**

- Primary and Replacement Absorption Areas on each proposed lot of a new land development project
- Contour Lines at 2 foot intervals over the proposed absorption area and no less than 5 foot intervals across the remainder of the plat.
- Minimum of two soil probe evaluations per system area
- Slope measurement shown at each soil probe location
- Hydraulic Conductivity Testing
 - (d.1) Soil hydraulic conductivity testing is required on sites where a soil morphological or geologic evaluation reveal conditions below the depth at which the percolation test was performed that can reasonably be expected to impede proper dispersion of effluent, cause groundwater mounding, or when proposing use of the following:
 - (1) A large-volume onlot sewage system.
 - (2) An onlot sewage system where the total absorption area is greater than 5,000 square feet.

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➤ **New Requirements for Act 537 Land Development Plans continued....:**

- (e) A preliminary hydrogeologic evaluation as described in subsection (f) must be completed when the use of an absorption area is proposed and one of the following exists:
 - (1) A large-volume onlot sewage system.
 - (2) **A subdivision of 25 or more dwelling units or EDUs.**
 - (3) **A subdivision of five or more EDUs sited on soils with a limiting zone less than 20 inches from the mineral soil surface and a density of more than one EDU per 2 acres.**
 - (4) The municipality or the Department has documented that the quality of water supplies within 1/4 mile of the proposed site exceed 5 parts per million nitrate-nitrogen.
 - (5) The Department has determined that known geologic or hydrogeologic conditions at the site demonstrate the potential for groundwater or surface water pollution from the systems.

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➤ Sewage Management Programs:

➤ § 71.71. General requirements.

Municipalities are required to assure the proper operation and maintenance of sewage facilities within their borders. Proper operation and maintenance of sewage facilities is essential to the provision of adequate sewage treatment and disposal over the functional life of a sewage treatment system. Municipalities shall, therefore, address long-term operation and maintenance in official plans and revisions to official plans. Subchapters B and C (relating to official plan requirements; and **planning for** new land development) and this subchapter provide the planning requirements to identify, evaluate and implement the operation and maintenance needs of existing and proposed sewage facilities within a municipality. The establishment of a sewage management program as part of an official plan or revision to an official plan provides a method of assuring proper operation and maintenance of sewage facilities. The evaluation and implementation of operation and maintenance needs through a sewage management program shall be consistent with the provisions of this subchapter.

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➤ Sewage Management Programs continued...:

➤ § 71.72. Sewage management programs for *Department-permitted sewage facilities and community onlot sewage systems*.

- In order for the municipality to adopt a revision to allow for department-permitted sewage facilities and community onlot sewage systems, its official plan and sewage management program must address the long-term needs, including operation and maintenance requirements, for these specific types of systems.

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➤ Sewage Management Programs continued...

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

- (viii) Requirements to inspect all individual and community onlot sewage facilities every 3 years. The inspection must include the following, at a minimum;
 - (A) Field verification that all onlot sewage system components are operable.
 - (B) Field verification that the maintenance standards in Chapter 73, the alternate onlot system approval or the experimental system approval are being implemented.
 - (C) Field verification that all applicable isolation distances in Chapter 73 have been maintained.
 - (D) Field verification that the system has not been modified.
 - (E) Field verification that the system is not malfunctioning.
 - (F) Field verification that the use of the residence or establishment has not changed in a manner that would increase sewage flows greater than the design capacity of the onlot system.



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