

Onsite Wastewater Super Conference 2026

Overview of Newly Proposed
Onsite Wastewater Facilities
Regulations – Chapter 72

Camp Hill, PA
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Overview of Newly Proposed Onsite Wastewater Facilities Regulations – Chapter 72

"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 72

- 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 72

- Proposed Chapter 72 Regulations – Administration of Sewage Facilities Permitting
 - 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.
 - ***Malfunctioning onlot sewage system** – An onlot sewage system that is failing as determined by the sewage enforcement officer or the Department.

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- Proposed Chapter 72 Regulations – Administration of Sewage Facilities Permitting
 - Onlot sewage system permit - An authorization issued by the Department or local agency to implement the requirements of the act and regulations promulgated thereunder, relating to the installation, alteration, repair or decommission of an individual or community onlot sewage system. Types of permit authorizations are as follows:
 - **Alteration**—Any modification or structural change to an existing individual or community onlot sewage system for any purpose other than to affect a repair.
 - **Installation**—The construction of a new individual or community onlot sewage system.
 - **Repair**—Any action taken that is performed on an onlot sewage system to restore the proper function of the system, including replacement of some or all of its components.
 - ***Decommission**—The permanent removal of an onlot sewage system or component thereof from service. Proper abandonment of an onlot sewage system must include removal and proper disposal of the sewage content and media solids from all components and either tank removal or the collapse of the tank top and at least

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- Proposed Chapter 72 Regulations – Administration of Sewage Facilities Permitting
 - New Definitions:
 - **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.** (to match Chapter 71 definition)
 - **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.
 - **Soil Probe (test pit)** – 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 72 Regulations – Administration of Sewage Facilities Permitting
 - Limited changes to Chapter 72 – rearranged regulations to enhance clarity
 - (72.25) A local agency may not issue permits for:
 - large volume, industrial waste, DEP permit required, unclassified system
 - **Onlot sewage systems with sewage influent categorized as high-strength wastewater as detailed in 73.17(e) Table 73-F (Department issued permits)**
 - **A SEO shall verify in person that the location of the onlot sewage system components have been staked out consistent with the design.**
 - **Any variances that are granted for system permitting must be provided to the applicant in writing, itemized on the permit and be maintained in the permanent record.**

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➤ § 72.30 Inspection.

- (a) No part of the system may be covered until final inspection conducted and written approval **to cover the system** is given by the local agency. **Initial, interim, final grade and other inspections as necessary maybe conducted by the local agency to ensure the construction of the system is in conformance with this chapter and Chapter 73.**
- (b) ... **Inspections must be documented on a form provided by the Department.**
- (c) The applicant shall notify the LA, **in writing or other mutually agreed upon method**, when the installation of the system is completed and ready for inspection.
- (d) ... **When the applicant covers a system that has not had a final inspection by the LA SEO, the applicant shall provide the following to the LA within 7 days of covering the onlot sewage system:**
 - (1) **Pictures or video of the uncovered system, including building sewers, tanks, piping, distribution box, and the distribution system.**
 - (2) **Results of all required component and media testing, including tank pressure testing, aggregate testing, fine aggregate testing, pump curves, and final pressure testing of distribution system.**
 - (3) **A signed statement by the person who completed the testing of the system stating that the onlot sewage system and the media met all regulatory and local ordinance requirements.**

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➤ § 72.35 Correction of malfunctioning onlot sewage systems.

➤(a) The local agency shall ensure the correction of a malfunctioning onlot sewage system when the malfunction is identified. The following conditions are considered a malfunction:

➤(1) Partially treated or untreated sewage on the ground surface.

➤(2) Backup of partially treated or untreated sewage into a structure the onlot sewage system is serving.

➤(3) Partially treated or untreated sewage entering, either directly or indirectly, into a surface water of this Commonwealth.

➤(4) Partially treated or untreated sewage entering the ground water.

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➤ § 72.35 Correction of malfunctioning onlot sewage systems continued...

- (5) Cesspools, seepage pits or other pre-regulatory system in contact with the seasonal high water table, whether perched or regional.
- (6) Backup of partially or untreated sewage into a tank or other component of the system.
- (7) Saturated conditions or ponding in the absorption area that persist over a period of 7 or more consecutive days.
- (b) **When an onlot sewage system is malfunctioning, the local agency shall ensure that partially treated or untreated sewage is not being discharged to the surface of the ground or to waters of the Commonwealth.**

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➤ § 72.36. Permit variance from standards for onlot sewage systems

- (a) When attempting to repair an onlot sewage system and the repair cannot be constructed in accordance with Chapter 73 (relating to standards for onlot sewage treatment facilities), the following variances from the requirements for onlot sewage systems may be granted at the discretion of the local agency:
 - (1) Except as provided in paragraph (2), horizontal isolation distances may be reduced when horizontal isolation distances as provided in § 73.13 (b) and (c) are unable to be met.
 - (2) **The horizontal isolation distance requirement between an absorption area and a water supply well (potable and non-potable) and spring used for domestic water supply on the same lot may only be granted when the applicant has completed the appropriate groundwater studies, as determined by a professional geologist, verifying that the proposed individual onlot sewage system will not pose a threat pollution to any well on the same lot.**

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➤ § 72.36. Permit variance from standards for onlot sewage systems

➤(b) When attempting to repair an onlot system to address a *malfunctioning onlot sewage system*, and the repair cannot be constructed in accordance with Chapter 73 (relating to standards for onlot sewage treatment facilities), the following variances from the requirements for onlot sewage systems, in addition to subsection (a), may be granted at the discretion of the local agency:

➤(1) The length-to-width ratio of the absorption area may be adjusted without reducing the minimum square footage of the absorption area on sites where the depth to a limiting zone is greater than or equal to 20 inches and when site constraints prevent the absorption area from being constructed in accordance with Chapter 73 (relating to standards for onlot sewage treatment facilities). **The length-to-width ratio must be based on the documented technical opinion of a licensed professional engineer, a licensed professional geologist or a qualified soil scientist's design. If the technical opinion is based on a licensed professional engineer or licensed professional geologist's design, it must be signed and sealed.**

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➤ § 72.36. Permit variance from standards for onlot sewage systems

- (2) The distribution system may deviate from the design and construction standards in Chapter 73 (relating to standards for onlot sewage treatment facilities) or the approved alternate sewage system or component if the distribution system is designed, signed and sealed by a licensed professional engineer.
- (c) A variance may not be granted for the following horizontal isolation distances provided in § 73.13 (relating to minimum horizontal isolation distances):
 - (1) Water supply well (potable and non-potable) and spring used for domestic water supply when the water supply well (potable and non-potable) and spring used for domestic water supply is located on a lot other than the applicant's lot, regardless of the ownership of that lot.
 - (2) When the variance will adversely affect the public health, safety or waters of this Commonwealth or otherwise cause a nuisance.

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➤ § 72.36. Permit variance from standards for onlot sewage systems

- (d) When siting an absorption area, a variance may not result in the absorption area being placed on unsuitable sites as established in § 73.12 (relating to site location).
- (e) A permit variance may only be granted in situations where a system cannot be installed in conformance with Chapter 73 (relating to standards for onlot sewage treatment facilities) or an approved alternate sewage system or component listing.
- (f) The local agency shall maintain a record of all variances granted within the municipality. At a minimum, the documentation shall include the date the variance was granted, the name and address of the person being granted a variance, the permit application number containing the variance, the reason for the variance and the type of variance granted. The local agency shall provide this information to the Department in the local agency's annual report or upon request.

Overview of Newly Proposed Onsite Wastewater Facilities Regulations – Chapter 72

- Proposed Chapter 72 Regulations – Administration of Sewage Facilities Permitting
 - Limited changes to Chapter 72
 - After issuing a permit and within ten working days prior to the start of construction, the SEO shall complete an inspection of the site to verify the onlot sewage system can be installed (72.41 m.1)
 - The Department may require the local agency to provide written notification of all soils testing to the Department 10 days prior to the scheduled date of testing. (72.43 b.1)
 - Certification is for a period of 2 years. Fee of \$250 to renew valid certificate (72.52 b)



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