



Fact Sheet

COMMONWEALTH OF PENNSYLVANIA • DEPARTMENT OF ENVIRONMENTAL PROTECTION

Act 537 #2

Sewage Planning Requirements Under Act 537 for Exceptions to the Requirement to Revise the Official Plan ("Exceptions")

Act 537, the Pennsylvania Sewage Facilities Act, requires each municipality in the Commonwealth to have an Official Sewage Facilities Plan that addresses the existing and future sewage disposal needs of the municipality. In most cases, DEP requires completion of sewage facilities planning for new land development (a "sewage facilities planning module" or simply "planning module") to update or revise the municipal official plan before a subdivision is created to ensure adequate means of sewage disposal. However, there are certain categories of subdivisions that do not require formal adoption of the plan by the municipality as a revision to the official plan. This fact sheet answers questions that are often asked regarding sewage planning for exceptions.

What is an exception or minor subdivision?

To qualify as an exception, the subdivision must fit the following criteria.

- Planning must be required for the subdivision under Act 537 (to determine if planning is required for your project, request information on subdivisions exempt from planning from your DEP regional office).
- The proposed subdivision must consist of no more than 10 lots.
- The lots must be proposed as sites for construction of detached single family homes.
- The proposed homes must be intended to be served by individual on-lot sewage disposal systems.

If all of these conditions are met, the proposed subdivision qualifies as an exception.

How is an exception planned?

DEP has produced a series of forms, called "planning module components", which are used to update a municipal official plan. When an exception is proposed, the developer should request a "Component 1" form from the municipality in which the proposed subdivision is located, or from the DEP regional office serving that municipality. (Please see the list of regional offices at the end of this fact sheet.)

Who should complete the Component 1 planning module form?

The Component 1 form should be completed by an individual, such as a consulting engineer or surveyor, who is familiar with the municipality's official plan

and with DEP's regulations and procedures. The municipality's certified Sewage Enforcement Officer (SEO) also should be consulted to confirm site and soil testing information.

What information must be provided in the Component 1?

The Component 1 form contains a guidance document that describes the planning process and the information required in detail. The developer is required to provide information about the proposed subdivision, including:

- the location of the subdivision
- the number of lots proposed
- the planned layout of the subdivision, in the form of a surveyor's drawing or "plot plan"
- the planned source of drinking water (wells or a public supplier)
- the site conditions, such as soil testing results and ground slope measurements

When the Component 1 form is complete and all of the associated information required has been attached, the complete plan is called a "planning module for land development", or simply a "planning module".

When the Component 1 planning module is complete, what's the next step?

The municipality where the proposed subdivision is located reviews the completed planning module.

What is the municipality's role in review of exceptions?

Each municipality has the primary responsibility to review and approve exceptions. DEP provides oversight and assistance to local governments to help them effectively carry out their duties.

How long does it take to get municipal approval?

If the planning module is complete, the municipality has 60 days to review and act on the plan unless both the developer and municipality agree to a time extension in writing. The municipality must either approve or disapprove the plan within the 60 days or the agreed-to time extension. If the municipality approves the planning module, it then sends the planning module to DEP for final review. If the municipality fails to act within the allotted time, the planning module is "deemed approved" and can be sent to DEP for final review. If the planning module is not complete, the municipality will request the missing information before taking action.

How long does it take to get DEP approval for an exception?

The department has 30 days to act on a complete Component 1 planning module. If DEP does not act within the 30 day period, the planning module is deemed to be applicable.

Is there a fee for DEP review of an exception?

Yes. The Act 149 amendments to Act 537 require DEP to charge a per-lot fee for review of planning

modules. The amount is set by law and varies with the type of project. The fee for exceptions planned using a Component 1 is \$35 per lot. Following DEP's action on an exception or the expiration of the 30 day review period without action, the department will calculate the review fee and advise the developer by mail of the amount owed. DEP does not charge a fee for residual tracts.

What happens if DEP or the municipality finds that my proposed subdivision is not an exception?

If the municipality or DEP discover that the proposed subdivision does not meet one or more of the conditions required to qualify as an exception, the applicant will be informed and provided with the appropriate DEP forms. While some of these forms may require more information than the Component 1, much of the information, such as soil test results, can be reused.

When can I apply for on-lot system permits for my lots?

The developer may apply for individual on-lot sewage disposal system permits after receiving final DEP concurrence on the Component 1 Planning Module.

For more information, contact your regional office.

DEP REGIONAL OFFICES

Southeast Region

Lee Park, Suite 6010
555 North Lane
Conshohocken, PA 19428
610-832-6130

Counties: Bucks, Chester, Delaware, Montgomery, and Philadelphia

Southwest Region

400 Waterfront Drive
Pittsburgh, PA 15222-4745
412-442-4000

Counties: Allegheny, Armstrong, Beaver, Cambria, Fayette, Greene, Indiana, Somerset, Washington and Westmoreland

Southcentral Region

One Ararat Boulevard, Rm. 147
P.O. Box 2357
Harrisburg, PA 17110
717-657-4590

Counties: Adams, Bedford, Berks, Blair, Cumberland, Dauphin, Franklin, Fulton, Huntingdon, Juniata, Lancaster, Lebanon, Mifflin, Perry and York

Northcentral Region

208 West Third Street, Suite 101
Williamsport, PA 17701
717-327-3669

Counties: Bradford, Cameron, Clearfield, Centre, Clinton, Columbia, Lycoming, Montour, Northumberland, Potter, Snyder, Sullivan, Tioga and Union

Northeast Region

2 Public Square
Wilkes-Barre, PA 18711-0790
717-826-2553

Counties: Carbon, Lackawanna, Lehigh, Luzerne, Monroe, Northampton, Pike, Schuylkill, Susquehanna, Wayne & Wyoming

Northwest Region

230 Chestnut Street
Meadville, PA 16335-3481
814-332-6942

Counties: Butler, Clarion, Crawford, Elk, Erie, Forest, Jefferson, Lawrence, McKean, Mercer, Venango and Warren

This fact sheet and related environmental information are available electronically via internet. Access the DEP-DCNR Web Site at <http://www.dep.state.pa.us> (choose Information by Environmental Subject/choose Water Management).