

February 4, 2021

Dear Sewage Enforcement Officer,

It has been a challenging year. We hope that you have all found ways to perform your duties in a safe and effective manner. Our previous *All SEO Letter* in May of 2020, dealt with the COVID-19 pandemic issues. There are several items (SEO NEWS) that the Department would like to bring to your attention along with a couple of reminders.

### **SEO NEWS**

1. **Act 34** - On June 5, 2020, Governor Wolf signed Senate Bill 1030, Printer's Number 1489 of 2020 into law which amended Section 5 (relating to official Plans) of the Pennsylvania Sewage Facilities Act. In the signing statement for SB 1030 (which became Act 34 of 2020), Governor Wolf emphasized that three key goals of the SFA, as identified in Section 3 of the SFA, continue to be:
  - a. Protecting public health, safety, and welfare through the development and implementation of plans for the sanitary disposal of sewage;
  - b. Preventing and eliminating pollution of waters of the Commonwealth by coordinating planning for the sanitary disposal of sewage wastes with a comprehensive program of water quality management.
  - c. Encouraging the use of the best available technology for on-site sewage disposal systems.

The Department intends to provide clarification on the implementation of Act 34 of 2020 at the upcoming Sewage Advisory Committee meeting scheduled for February 23, 2021 at 10 am. The meeting will be virtual. Please visit the Department's Public Participation webpage for more information on the meeting. Closer to the date of the meeting, meeting material will be posted to the SAC Website found at the following link:

<https://www.dep.pa.gov/PublicParticipation/AdvisoryCommittees/WaterAdvisory/SAC/Pages/default.aspx>

More detailed information and guidance will be available following the SAC meeting. We anticipate sending another All SEO email with this information.

2. **Sewage Enforcement Officer Certification and Training Program Guidance (DEP ID: 385-2314-002) Revised** – The revised technical guidance document (TGD) was published in the Pennsylvania Bulletin on December 12, 2020, as final. It is posted in the Department's eLibrary and is also accessible via the Department's Act 537 Sewage

Facilities webpage. The TGD provides a framework for the Sewage Enforcement Officer (SEO) certification and training program with the goal of producing a knowledgeable and skilled SEO community to help administer the on-lot sewage program in Pennsylvania. The program includes criteria for SEO candidates who wish to become certified SEOs, criteria for certified SEOs to maintain their SEO certification, and criteria for lapsed or inactive SEOs who wish to reinstate their SEO certification. In response to public comments on the draft TGD, changes were made, including: several clarifications; providing for up to three continuing education credits to be carried over from one certification cycle to the next certification cycle; and providing options to test out of the precertification soils course. Changes of note:

- Rollover credits have been reduced from seven (7) to three (3).
  - A Department approved precertification soils course is now required, along with the precertification academy before becoming an SEO. The prospective SEO must pass the precertification soils exam and the precertification academy exam before receiving their certification.
  - All currently certified SEOs who in the past have not successfully completed a Department approved precertification soils course have five (5) years from December 12<sup>th</sup>, 2020 to complete a Department approved soils course and pass the exam. Currently the Soil Hub precertification soils course is the only approved course to meet this requirement. Please visit the Pa Clean Water Academy for information regarding this course.
  - SEOs' certification cycles will change to a 2-year rolling certification, based upon their certification date. This will only affect newly certified SEOs and those SEOs changing from a lapsed to an active certification status. All current SEOs will maintain their 2-year certification cycle as October 1 to September 30 of even numbered years.
3. **Removal of Ultraviolet Disinfection (UV) units** – We have been made aware that some UV disinfection units are being removed from systems. If the original system permit required the use of UV disinfection, removal of an UV disinfection unit is only allowed with a modification permit approved by the SEO. However, not all UV units can be removed. For example, UV units that are part of an experimental permit or UV units that were required to be installed due to the proximity of the system to a well or other potential sensitive feature (the system is within 100' of a well), the unit should not be removed. If you are unsure, please contact your regional DEP planning specialist.
  4. **Infiltrator Endcap**–The Infiltrator alternate system listing does not provide any square footage credit for the endcaps. The *Design and Installation Manual for Quick4 Chambers in Pennsylvania* **incorrectly** grants a 10.43 sf/pair of endcaps. This conflicts with the requirements in the DEP Alternant System listing. The Department is working with

Infiltrator to update their Manual. SEOs may not accept designs that include absorption area reduction due to the endcap area.

5. **Leaching Chambers in At-Grade Beds** – The DEP alternate systems listings do not provide for leaching chambers to be used in at-grade beds. SEOs may not accept designs that include leaching chambers (including Infiltrator) as part of the At-grade absorption area design
6. **Independently Permitting Drip System Designs** – The Alternate System listing provides specific requirements for an SEO in order to be qualified to independently issue a permit for a drip system.
  - a. Our current listings (A2010-0005-0002 and A2012-0009-0001) for drip irrigation systems with primary effluent require an SEO to take the DEP sponsored training course “#321 Drip Irrigation” to independently review the design and issue the permit.
  - b. For drip irrigation systems with secondary effluent and for the drip mound/micromound, the SEO training course must be technology specific.
  - c. If the SEO has received permitting delegation in writing from the DEP, then s/he may independently review the design and issue the permit for the stated technologies.

The list of currently approved technology specific courses for SEOs includes:

- #114-0005 Micromound Design Review and Installation Inspection, AMC;
- #266-0005 Perc Rite Drip Dispersal – Design Review and Installation Inspection, AMC;
- #312 Drip Irrigation (currently not offered);
- #321: Drip Irrigation (Web Course) (currently not offered).

All other system proposals under any DEP approved listing (from American Manufacturing Co., Inc. or JNM Technologies, Inc.), for which there is neither an approved SEO course nor a delegated SEO, must be submitted to the DEP for review and comment.

7. **PercRite® Drip Systems Installation**- *PercRite® Drip Dispersal* course states that the drip equipment comes as a single package. Re-design is necessary in case of substitutions of the drip equipment package. This requirement applies to all PercRite® approved technologies (drip dispersal and drip micromound). The system is to be configured as a complete package from a single source of drip tubing, specialized field fittings, pump and pump chamber components, filtration units (headworks), and control panels at a minimum. SEOs should be aware that an installer cannot change the controls, filtration or

pump on an approved set of plans without permission from the designer/engineer. Doing so can lead to incorrectly operating systems and potentially a system failure.

8. **Seals on Plot Plans** – Only a Professional Land Surveyor (PLS) can make land surveys. Representation on Plot Plans of locations not surveyed should be noted as such.
9. **Bed & Breakfast Flows** – It is becoming increasingly common for homes to be converted to bed & breakfast (B&B) facilities. Section § 73.17(a) of the regulations should be applied when determining flows for B&Bs. A house (private residence or B&B) with 1, 2 or 3 bedrooms would be 400 gpd with any additional bedroom calculated at 100 gpd per bedroom or unit (hotels and motels). There may be confusion throughout the state due to a letter sent from the DEP Central Office in 1997 that stated the flow per additional bedroom was 75 gpd. Please note that the 1997 letter and its contents are no longer valid as it was drafted before the current regulations that state flow per additional bedrooms over three (3) is 100 gpd. Also, note that sewage facilities planning and permitting are only one aspect of issues to consider when considering a conversion of a residence to a B&B, and that you should contact the municipality where the residence is located to determine if any other requirements will be need to be met prior to conversion.
10. **Use of Current forms** –It is not uncommon for the Department to revise its official forms. Please ensure you are using the most current version of each form. The date the form was issued is in the upper left corner. You can always check for and obtain current forms through the DEP's eLibrary at: <http://www.depgreenport.state.pa.us/elibrary/>. Use the Search function by typing in the document number, found in the upper left corner of the form, or by searching the document title.
11. **All SEO Letters** – Current and historical *All SEO Letters* can be found in the Pa. Clean Water Academy at: <https://pacleanwateracademy.remote-learner.net/>. After logging into the CWA website, go to: Resources, Sewage Enforcement Officer, All SEO Letters, Table of Contents to search for a specific letter or subject. The most recent *All SEO Letters*, along with the Table of Contents, can also be found on the DEP Sewage Enforcement Office webpage at: <https://www.dep.pa.gov/Business/Water/CleanWater/WastewaterMgmt/Act537/Pages/SewageEnforcementOfficers.aspx> .

## **REMINDERS**

1. **Soils Testing Notification to the DEP** - SEOs must notify the planning approval agency (the DEP or Delegated Agency) of scheduled site suitability soil testing for planning purposes **at least 10 days prior** to the event. Notification requirements are not limited to specific project size. This required notification affords agency staff an opportunity to observe the testing and affords the SEO an opportunity to discuss the site conditions in the field with the agency. This notification requirement can be found in the planning module component instructions.

2. **Well Isolation Distance Exemptions** - Section 8(f) of the Pennsylvania Sewage Facilities Act (Act 537) and Section § 72.33 of the DEP regulations allow for well isolation distance exemptions. This is a reminder that:
- a. This exemption only applies to a waiver of the horizontal isolation distances between a private well and a proposed individual sewage system. If the well or the sewage system is a community system, this exemption cannot be used (for example in case of apartment complex).
  - b. If this exemption is employed during new land development, the private well and sewage system must be on the same lot and the local agency must determine that the individual sewage system does not pose a threat of pollution to any well on the same lot that falls within the minimum horizontal distances in Section § 73.13. These same minimum horizontal isolation distances must be maintained between the individual sewage system and a well on any other lot.
  - c. If this exemption is employed during a malfunction repair being considered under § 73.3(b), best technical guidance, the requirements of § 72.33 may be waived but the proper well abandonment procedure or relocation of the well should be considered first.
  - d. Only the local agency has the authority to grant the isolation distance exemption.

If you have any questions or concerns, about this or any other issues, please contact us through the SEO Resource Account at [RA-seotrng@pa.gov](mailto:RA-seotrng@pa.gov).

Sincerely,



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