



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL RESOURCES
Bureau of Water Quality Management
90 East Union Street - 2nd Floor
Wilkes-Barre, PA 18701-3296 (717) 826-2337

COJ JR

RE: Sewage System Repairs

Dear Sewage Enforcement Officer:

A request has been received for a clarification of the types of systems would be classified as "repair" under the on-lot sewage system program.

The following would be designated as repair permits:

1. Replacement of a specific component of an existing system, such as building sewer, septic tank, baffle, clean-out, pipe to the absorption area, distribution box and piping within the absorption area. No soils testing is necessary in this instance.
2. Replacement of an existing malfunctioning absorption area (with or without replacement of the other parts of the system), or installation of additional absorption area to correct an existing malfunction. Any installation of an absorption area requires testing of the site to determine site suitability under the requirements of Chapter 73. Adding to the total absorption area, as provided for in Section 73.11(2) is considered a repair as long as the flows from the structure being served are unchanged. Useage changes of the structure that result in equal or decreased flows are also acceptable and should be classified as a repair.

The following are considered new installations:

1. When the installation of a larger capacity on-lot system occurs in conjunction with the expanded use of a structure regardless of whether it serves to repair a malfunction.
2. When the installation of an on-lot system is proposed for a structure which previously had little or no plumbing and limited facilities for human waste disposal (such as a privy).
3. Permits for new structures.

In every instance where an absorption area will be installed, testing to determine site suitability must be completed in compliance with Chapter 73 standards. You as a Sewage Enforcement Officer should be aware, that Chapter 73 does not differentiate between a new and repair system pertaining to site testing requirements.

Section 73.2 does however, provide some latitude to the SEO in repair situations where site limitations on existing properties prohibit compliance with all of Chapter 73 regulations. In every instance, all regulations which can be met shall be met. Where site limitations or other restrictions preclude compliance with some of the regulations, a repair system may deviate from the regulations in that area if the following criteria are met:

1. The system to be installed will not create a public nuisance or health hazard.
2. The system has a reasonable probability of functioning.
3. The system employs the best available technology.

Obviously, Condition No. 2 is a judgement decision by the SEO and notification, in writing, to the applicant of the possibility of system failure is highly recommended. The SEO does not, under any circumstances, have the authority to disregard the regulations and install a repair system contrary to the regulations in a repair situation. Nor does the SEO have the authority to permit an inappropriate system for the site, such as a standard bed rather than an ESM bed.

When permitting a repair system utilizing the provisions of Section 73.2, the SEO should notify the applicant in writing that:

1. The site does not meet Chapter 73 standards in specific listed instances.
2. There is a possibility of failure of the repair system.
3. The SEO has the authority under Section 73.2 to issue the permit.
4. Reductions in water consumption and installation of water conservation devices could prolong the life of the system.
5. The permit really does not relieve the applicant of the responsibility to correct any malfunctions that may occur at a later date.

If you have any questions concerning this letter, please free to contact your local Water Quality Sanitarian.

Very truly yours,

Ronald S. Brezinski
RONALD S. BREZINSKI
Sanitarian Sewage Specialist