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**Bureau of Water Supply
and Wastewater Management**

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To All Sewage Enforcement Officers (SEO):

The purpose of this letter is to advise you about the final public release of a new technical guidance document that you should find helpful when dealing with repair situations and some anticipated changes to the onlot application form.

New Technical Guidance: *Technical Decision Making and the Use of Conventional Technology, Alternate Technology, Experimental Technology, and Best Technical Guidance (BTG) in Onlot Sewage System Repair Situations*, DEP ID: 362-2208-003, may be in competition for Department of Environmental Protection's (DEP) longest titled document, but the title describes this document well. The guidance was published in the *Pennsylvania Bulletin* on May 8, 2004 and became effective on that date. It is available on the DEP website at www.dep.state.pa.us. The guidance provides regulatory SEOs with the first, formal interpretation of the Department's repair policy presently found in Chapter 73, Section 73.3(b). There are, however, a few points that I wish to stress.

First, when reviewing and employing this guidance, please keep in mind that the sequential flow of decision-making described in the text and portrayed in Figure 1 is not interpreted as a strict "yes / no" type decision tree. As specifically required by the regulation, each stop in the decision flow requires **consideration** of a technology or possible solution from that section and not a mandatory selection from that section. The ultimate decision on which selection is appropriate for any given repair situation still remains with the regulatory SEO.

Second, repair situations are not exempt from all regulatory or procedural requirements. For example, if a technology selected from the current Alternate Systems Guidance (ASG) seems appropriate to make the repair but that ASG technology cannot be constructed exactly as described in the ASG, it should be proposed to DEP for classification as a "site specific" alternate system as required by Chapter 73.72(b) and Chapter 72.25(e)(1). If classified as an alternate system for use at that specific site (i.e., "site specific alternate"), that particular configuration cannot be used indiscriminately in other situations. It must be individually proposed for classification with each use. In this way, DEP will be able to evaluate unusual "site specific" proposals from a big picture perspective and, when warranted, include the unusual application in future ASG revisions.

Finally, an SEO may employ BTG principles to encroach upon the isolation distance of a water supply well solely at the discretion of the local agency (Section 72.33(b)). Since exercising this possibility requires both SEO and Local Agency decisions, such discretion should be documented in the permit application packages retained by the Local Agency (white), DEP (pink) and Applicant (yellow).

Documentation may be as simple as a single sheet of local agency letterhead paper included with the package or as complex as a local agency desires. The important thing to note is that exercising this discretion is a Local Agency responsibility.

Anticipated Onlot Application Form Changes: A periodic review of documents to determine if they still meet current needs is always a good idea. In this case, it revealed the need for a few minor changes that you will likely see in future application form printings, including a return to color coded paper. In general, look for revised forms containing more numerous and more accurate check box selections in Part I (Applicant and Site Information) and Part III (Plot Plan and System Design). Selections will be designed to aid local agency and DEP database information recording. For example, Part I "Type of System," currently provides only "new" or "repair" selections. In order to accurately reflect the activity actually being engaged, it will become "Type of System Activity" with selections for "New," "Modification" and "Repair" and a specific "repair" modifier for "BTG." Part III will have a "System Classification" section added with selection blocks for "Conventional," "Alternate" and "Experimental" to reflect current regulatory definitions. The present Part III absorption area check box selections will be changed and increased to more accurately reflect those absorption area technologies currently in use across the Commonwealth. Similar changes will be made throughout Part III. The objective is to have all basic information common to all onlot systems available on the application form. As always, specific design and supplementary information is attached separately. Exactly when you will see these revised forms will depend upon the time required to exhaust existing supplies of applications but it may be appropriate to begin thinking in terms of regulatory onlot system classifications, potential database modifications and local procedures.

Sincerely,



Milt K. Lauch
Chief

Division of Wastewater Management

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