

No. 2017-26

AN ACT

SB 144

Amending the act of January 24, 1966 (1965 P.L.1535, No.537), entitled, as amended, "An act providing for the planning and regulation of community sewage systems and individual sewage systems; requiring municipalities to submit plans for systems in their jurisdiction; authorizing grants; requiring permits for persons installing such systems; requiring disclosure statements in certain land sale contracts; authorizing the Department of Environmental Resources to adopt and administer rules, regulations, standards and procedures; creating an advisory committee; providing remedies and prescribing penalties," further providing for official plans.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 5 of the act of January 24, 1966 (1965 P.L.1535, No.537), known as the Pennsylvania Sewage Facilities Act, is amended by adding subsections to read:

Section 5. Official Plans.—* * *

(c.1) When proposing a plan supplement or plan revision for a new land development, the applicant may submit and the department shall accept, for the purpose of satisfying general site suitability requirements, any conventional or alternate on-lot system permittable by a sewage enforcement officer.

(c.2) (1) Within one hundred eighty days of the effective date of this subsection, the department shall, in consultation with the advisory committee,¹ develop scientific, technical and field testing standards upon which an evaluation of each on-lot sewage system that has been classified as an alternate system in accordance with 25 Pa. Code § 73.72 (relating to alternate sewage systems) shall be based.

(2) The department shall, in consultation with the advisory committee,¹ review the scientific, technical and field testing data for each individual on-lot sewage system and each community on-lot sewage system that is classified as an alternate on-lot sewage system.

(3) If, based on the review specified in paragraph (2), the department determines that there is sufficient scientific, technical and field testing data to reclassify an alternate system as a conventional system, the department shall reclassify the alternate system as a conventional system.

(4) If, based on the review specified in paragraph (2), the department determines that there is insufficient or inadequate scientific, technical or field testing data to continue classifying the on-lot sewage system as an alternate system, the department may undertake a rulemaking to remove the system's classification as an alternate system.

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¹in consultation with the Sewage Advisory Committee," in enrolled bill.

Section 2. This act shall take effect in 60 days.

APPROVED—The 20th day of July, A.D. 2017

TOM WOLF