
 THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 144 Session of
2017

INTRODUCED BY YAW, BARTOLOTTA, VOGEL, YUDICHAK, SCHWANK, FOLMER,
RAFFERTY, SCARNATI, HUTCHINSON, WARD, MENSCH AND DiSANTO,
JANUARY 19, 2017

AS REPORTED FROM COMMITTEE ON ENVIRONMENTAL RESOURCES AND
ENERGY, HOUSE OF REPRESENTATIVES, AS AMENDED, JUNE 29, 2017

AN ACT

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

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

14 Section 1. Section 5 of the act of January 24, 1966 (1965
15 P.L.1535, No.537), known as the Pennsylvania Sewage Facilities
16 Act, is amended by adding a ~~subsection~~ SUBSECTIONS to read: <--

17 Section 5. Official Plans.--* * *

18 (c.1) When proposing a plan supplement or plan revision for
19 a new land development, the applicant may submit and the
20 department shall accept, for the purpose of satisfying general
21 site suitability requirements, any conventional or alternate on-

1 lot system permittable by a sewage enforcement officer.

2 (C.2) (1) WITHIN 180 DAYS OF THE EFFECTIVE DATE OF THIS <--
3 SUBSECTION, THE DEPARTMENT SHALL, IN CONSULTATION WITH THE
4 SEWAGE ADVISORY COMMITTEE, DEVELOP SCIENTIFIC, TECHNICAL AND
5 FIELD TESTING STANDARDS UPON WHICH AN EVALUATION OF EACH ONLOT
6 SEWAGE SYSTEM THAT HAS BEEN CLASSIFIED AS AN ALTERNATE SYSTEM IN
7 ACCORDANCE WITH 25 PA. CODE § 73.72 (RELATING TO ALTERNATE
8 SEWAGE SYSTEMS) SHALL BE BASED.

9 (2) THE DEPARTMENT SHALL, IN CONSULTATION WITH THE SEWAGE
10 ADVISORY COMMITTEE, REVIEW THE SCIENTIFIC, TECHNICAL AND FIELD
11 TESTING DATA FOR EACH INDIVIDUAL ONLOT SEWAGE SYSTEM AND EACH
12 COMMUNITY ONLOT SEWAGE SYSTEM THAT IS CLASSIFIED AS AN ALTERNATE
13 ONLOT SEWAGE SYSTEM.

14 (3) IF, BASED ON THE REVIEW SPECIFIED IN PARAGRAPH (2), THE
15 DEPARTMENT DETERMINES THAT THERE IS SUFFICIENT SCIENTIFIC,
16 TECHNICAL AND FIELD TESTING DATA TO RECLASSIFY AN ALTERNATE
17 SYSTEM AS A CONVENTIONAL SYSTEM, THE DEPARTMENT SHALL RECLASSIFY
18 THE ALTERNATE SYSTEM AS A CONVENTIONAL SYSTEM.

19 (4) IF, BASED ON THE REVIEW SPECIFIED IN PARAGRAPH (2), THE
20 DEPARTMENT DETERMINES THAT THERE IS INSUFFICIENT OR INADEQUATE
21 SCIENTIFIC, TECHNICAL OR FIELD TESTING DATA TO CONTINUE
22 CLASSIFYING THE ONLOT SEWAGE SYSTEM AS AN ALTERNATE SYSTEM, THE
23 DEPARTMENT MAY UNDERTAKE A RULEMAKING TO REMOVE THE SYSTEM'S
24 CLASSIFICATION AS AN ALTERNATE SYSTEM.

25 * * *

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