

SEWAGE MANAGEMENT PROGRAM

[Adopted June 8, 2015 by Ord. No. 02-15]

TOWNSHIP OF HARMONY FOREST COUNTY, PENNSYLVANIA

1.0 INTRODUCTION

As required by the Pennsylvania Department of Environmental Protection (PADEP), under the Pennsylvania Sewage Facilities Act (Act 537), the Harmony Township Sewage Management Program (SMP) was developed in conjunction with the Harmony Township Act 537 Sewage Facilities Plan Update (Official Plan) to protect the health, safety and welfare of the citizens living in Harmony Township (Township), Forest County, Pennsylvania. Municipalities in Pennsylvania are required by PA Code, Title 25, Section 71.71 to assure proper operation and maintenance (O&M) of sewage facilities within their borders and to address these issues in the Official Plan and in revisions to the Official Plan.

The SMP identifies, evaluates and requires implementation of the appropriate measures to ensure proper, long-term O&M of on-lot sewage disposal facilities throughout the entirety of Harmony Township. Proper O&M is essential to the provision of adequate sewage treatment and disposal over the functional life of a sewage treatment system. The establishment of this SMP as part of the Official Plan provides a method of assuring proper O&M to prevent future sewage related problems from occurring, and to provide protection for the groundwater and surface waters of the Commonwealth of Pennsylvania (Commonwealth).

On-lot facilities for the disposal of sewage have been considered mainly as interim solutions for sewage related problems. This generalization has been disproven in many areas throughout the Commonwealth, including Harmony Township. The use of on-lot systems within the Township has become permanent due to the lack of municipal sewerage and the widespread, highly seasonal population residing there. Properly designed, constructed, operated and maintained on-lot systems have the potential to function well for many years, while each technology utilized in on-lot systems has specific O&M requirements. Public health hazards and environmental pollution are the result of these requirements being ignored or forgotten and are worsened when on-lot systems begin to fail entirely or operate below their intended functionality.

The elimination, repair or replacement of malfunctioning on-lot sewage disposal systems is necessary to negate public health hazards and environmental pollution. Individual enforcement actions or the design and construction of public sewerage facilities are within a range of potential solutions to eliminate malfunctioning systems. However, some malfunctions cannot be eliminated through repair using standard on-lot systems, and the extension of public sewers into rural, low-density areas is often unfeasible and would result in high user fees. This is a costly and unwanted condition for the citizens of the Township.

Through the development of this SMP, a coordinated management approach to adequate O&M to assure long-term use of existing on-lot systems is introduced to the Township. This SMP establishes the necessary legal, administrative and financial mechanisms necessary to provide proper system maintenance. The SMP provides guidelines for the Township's Sewage Enforcement Officer (SEO), to whom the Township has delegated its authority to administer the SMP, as well as to persons installing individual or community on-lot sewage disposal systems. The Township and the SEO have entered into an agreement for implementation of the SMP, included herein as Attachment A.

The SMP is consistent with the minimum requirements of Chapter 71 of Title 25 PA Code § 71.73 (sewage management programs for sewage facilities permitted by local agencies). Permitting of on-lot facilities in Harmony Township will meet the requirements established in Chapter 72 of Title 25 PA Code. Siting and construction requirements for on-lot facilities will meet the minimum standards for on-lot sewage disposal facilities outlined in Chapter 73 of Title 25 PA Code.

2.0 INTENT

The intent of the Harmony Township Sewage Management Program is to:

- A. Promote the general health, welfare and safety of the citizens of the Township;
- B. Provide protection for water resources of the Commonwealth and the preservation of a healthy environment;
- C. Assure proper ownership, operation and maintenance of sewage facilities in areas throughout the Township mostly inhabited by permanent residents and those areas of the Township containing mostly seasonal residences;
- D. Address long-term O&M of sewage facilities in both permanent and seasonal applications;
- E. Assure compliance with PADEP regulations, the Clean Streams Law and the regulations promulgated thereunder;
- F. Identify and address existing sewage disposal problems and provide solutions to meet the future sewage disposal needs of the Township;
- G. Provide property owners with guidelines for the design, installation and operation of on-lot sewage disposal facilities in permanent and seasonal residential applications through education and improved interactions between the residents and the Township;
- H. Supplement the Act 537 Sewage Facilities Plan Update of Harmony Township.

3.0 FINDINGS

The Harmony Township Supervisors find that:

- A. The adequate disposal of sewage affects public health and the safety of the residents of the Township;
- B. All on-lot sewage disposal facilities should be properly permitted, installed, operated and monitored to assure adequate treatment of sewage has occurred prior to discharge of treated effluent water;
- C. The discharge of inadequately treated sewage results in a public health and safety hazard;

- D. There exists a need to separately evaluate the adequacy of existing on-lot sewage disposal systems and assure proper O&M of those systems in permanent and seasonal residential applications;
- E. In the event of malfunctioning systems, subdivisions or the issuance of a building permit, it is the duty of the Township, as a trustee of the public natural resources, to require persons in control of private on-lot sewage facilities to submit to monitoring controls, inspection and requirements of reporting in order to help assure each citizen's right to clean air, pure water and the preservation of a healthy environment;
- F. The PADEP requested that the Township develop an Act 537 Sewage Facilities Plan Update, the goals of which are met through the formation of this SMP;
- G. The SMP requires the Township to enact ordinances providing for inspection of permitted facilities for the reason that examinations of on-lot sewage disposal facilities throughout the Township have shown that some systems are not operating in accordance with the standards and permits under which they were originally permitted, are malfunctioning, or were not permitted. Holding tank, privy and Sewage Management Ordinances are included as Attachment B.

4.0 APPLICABILITY

- A. The SMP applies to the Township's SEO, to whom the Township has delegated is authority to administer the SMP, as well as to persons installing individual on-lot sewage systems or community on-lot sewage systems as defined by Chapter 73 of Title 25 Pa. Code. The Township and its SEO have the legal authority to carry out the provisions of the SMP, including entering properties for required inspections.
- B. The SMP shall apply to all municipal and non-municipal on-lot sewage disposal facilities which collect, treat and/or dispose of domestic sewage into a retaining tank or subsurface soil layer including but not limited to the following:
 - 1. Individual on-lot sewage disposal systems
 - 2. Community on-lot systems
 - 3. Pre-regulatory systems which were not permitted such as seepage pits and dry wells
 - 4. Holding tanks
 - 5. Privies
 - 6. Chemical toilets
 - 7. Portable toilets
 - 8. Recycling toilets
 - 9. Incinerating toilets
 - 10. Composting toilets
 - 11. Evapotranspiration systems
 - 12. Large volume community on-lot sewage disposal systems regulated by the PADEP
 - 13. Small flow treatment facilities regulated by the PADEP

- C. The SMP shall not be interpreted as governing, constraining or limiting any actions that the Township or its SEO may take regarding any sewage system which is creating a nuisance or causing pollution of the waters of the Commonwealth.
- D. Whenever the SEO finds any condition or practice which is inconsistent with the provisions of the SMP, he may issue a written order to the responsible person stating that the condition or practice found is inconsistent with the SMP and directing that the condition or practice be abated, corrected or ceased within such time specified in the order.
- E. After the expiration of the time period specified in any written order, the SEO shall determine whether the order has been complied with and notify the responsible person in writing if the order has not been complied with.
- F. In the event of noncompliance with any order, the SEO may issue a subsequent order stating again that the condition or practice found is inconsistent with the SMP and directing that the condition or practice be abated, corrected or ceased within such time specified in the order.
- G. Geographic areas may exist within the Township where numerous on-lot sewage disposal systems are malfunctioning. A resolution of these area-wide problems may necessitate detailed planning and a revision to the Township's Act 537 Sewage Facilities Plan. When a PADEP authorized official Sewage Facilities Plan revision has been undertaken by the Township, mandatory repair or replacement of individual sewage malfunctioning sewage disposal systems within the study area may be delayed at the discretion of the Township, pending the outcome of the plan revision process.

5.0 DEFINITIONS

The following terms are applicable to the Sewage Management Program and shall have the meanings indicated:

Absorption Area: A component of an individual or community sewage system where liquid from a treatment tank seeps into the soil. It consists of an aggregate-filled area containing piping for the distribution of liquid to the soil or sand/soil combination located beneath the aggregate.

Act 537: The Act of January 24, 1966, P.L. 1535, as amended, 35 P.S. § 750.1 et seq., known as the "Pennsylvania Sewage Facilities Act."

Aerobic Sewage Treatment Tank: A mechanically aerated treatment tank that provides aerobic biochemical stabilization of sewage prior to its discharge to an absorption area.

Aggregate: Coarse material manufactured from stone, gravel or slag, having Type B characteristics as described in Department of Transportation specifications, Form 408, Section 703.3, Table B and uniform size and grading equivalent to American Association of State Highway and Transportation Officials No. 57, as described in Form 408, Section 703.3, 2 Table C.

Alternate Sewage System: A method of demonstrated on-lot sewage treatment and disposal not described in the PA Code, Chapters 72 and 73.

Authorized Agent: A certified Sewage Enforcement Officer who is delegated by the Township to function within specified limits as the agent of the Township to carry out the provisions of the Sewage Management Program.

Board: The Board of Supervisors, Harmony Township, Forest County, Pennsylvania.

Bonded Disposal System: An individual sewage system located on a single lot serving a single family residence, where soil mottling is within 20 inches of the mineral soil surface, the installation, operation and replacement of which is guaranteed by the property owner.

Building Sewer: Piping carrying liquid wastes from a building to the treatment tank or holding tank.

Buried Sand Filter: A system of piping, sand media, aggregate and collection piping in a buried liner used for the intermittent filtration and biochemical treatment of sewage.

Cesspool: An unauthorized underground pit into which raw household wastewater is discharged and from which liquid seeps into the surrounding soil. A cesspool may or may not be partially lined. If septic tank effluent is discharged to such a component, it is considered a seepage pit. It is a non-regulatory compliant disposal method.

Chemical Toilet: A permanent or portable non-flushing toilet using chemical treatment in a retaining tank for odor control.

Community On-lot Sewage System: A community sewage system which uses a system of piping, tanks or other facilities for collecting, treating and disposing of sewage into a soil absorption area or retaining tank.

Community Sewage System: Any system, whether publicly or privately owned, for the collection of sewage from two or more lots or structures and the treatment and/or disposal of the sewage on one or more lots or at any other site.

Community Sewerage System: A publicly or privately owned community sewage system which uses a method of sewage collection, conveyance, treatment and disposal other than renovation in a soil absorption area, or retention in a retaining tank.

Composting Toilet: A device for holding and processing human and organic kitchen waste employing the process of biological degradation through the action of microorganisms to produce a stable, humus-like material.

Conventional Sewage System: A system employing the use of demonstrated on-lot sewage treatment and disposal technologies in a manner specifically recognized by the PADEP Title 25 Rules and Regulations. The term does not include alternate or experimental sewage systems.

Conventional Subsurface Absorption System: Any of the several types of aggregate-filled sewage effluent absorption areas installed below original soil grade level with ultimate percolation into the original soil.

Dosing Pump: The pump housed in a dosing tank which provides a measured volume of sewage effluent to the pressurized distribution system in an absorption area.

Elevated Sand Mound: A type of the aboveground absorption area consisting of a level layer of sand between the surface of the natural soil and an aggregate distribution area, or any updated technologies, to insure adequate renovation of sewage effluent.

Experimental Sewage System: Any method of sewage disposal not described in the PADEP Title 25 Rules and Regulations proposed for the purpose of testing and observation.

Filter Tank: The tank housing the piping and sand of the free access sand filter.

Free Access Sand Filter: An accessible system of tanks, dose piping, sand media, aggregate and collection piping used for the intermittent filtration and biochemical treatment of sewage.

Holding Tank: A water tight receptacle, whether permanent or temporary, to which sewage is conveyed by a water-carrying system. It is a retaining tank.

Incinerating Toilet: A device capable of reducing waste materials to ashes.

Individual On-lot Sewage System: An individual sewage system which uses a system of piping, tanks or other facilities for collecting, treating and disposing of sewage into a soil absorption area or spray field or by retention in a retaining tank.

Individual Sewage System: A system of piping, tanks or other facilities serving a single lot and collecting and disposing of sewage in whole or in part into the soil or into any waters of the Commonwealth or by means of conveyance to another site for final disposal.

Individual Sewerage System: An individual sewage system which uses a method of sewage collection, conveyance, treatment and disposal other than renovation in a soil absorption area, or retention in a retaining tank.

Individual Residential Spray Irrigation System (IRSIS): An individual sewage system which serves a single dwelling and which treats and disposes of sewage using a system of piping, treatment tanks and soil renovation through spray irrigation.

Industrial Waste: A liquid, gaseous, radioactive, solid or other substance, which is not sewage, resulting from manufacturing or industry or other plant or works and mine drainage, silt, coal mine solids, rocks, debris, dirt and clay from coal mines, coal collieries, breakers or other coal processing operations. The term includes substances whether or not generally characterized as waste.

Lift Pump: A submersible pump used to convey effluent to the sand filter and from the sand filter to the chlorine/retention tank.

Lot: A part of a subdivision or a parcel of land used as a building site or intended to be used for building purposes, whether immediate or future, which would not be further subdivided. Whenever a lot is used for a multiple family dwelling or for commercial, institutional or industrial purposes, the lot shall be deemed to have been subdivided into an equivalent number of single family residential lots as determined by estimated sewage flows.

Malfunction: The condition which occurs when an on-lot sewage disposal system discharges sewage onto the surface of the ground, into groundwaters of the Commonwealth, into surface waters of the Commonwealth, backs up into the building connected to the system or otherwise causes a nuisance or hazard to the public health or pollution of ground or surface water or contamination of public or private drinking water wells. Systems shall be considered to be malfunctioning if any of the conditions noted above occur for any length of time during any period of the year. Liquid wastes, including kitchen, bathroom, laundry and water softener backwash must be discharged into a treatment tank. Failure to do so shall be considered a malfunction.

Municipality: Harmony Township, Forest County, Pennsylvania.

Occupied Building: Any structure erected and intended for continuous or periodic human habitation from which sanitary sewage and industrial waste, or either thereof, is or may be discharged.

Official Sewage Facilities Plan: A comprehensive plan for the provision of adequate sewage systems, adopted by the municipality possessing authority or jurisdiction over the provision of the systems, and submitted to and approved by the PADEP, as provided by the Pennsylvania Sewage Facilities Act.

On-Lot Sewage Disposal System: A system of piping, tanks or other facilities serving a single lot or multiple lots and collecting, treating and disposing of sewage.

PADEP: Pennsylvania Department of Environmental Protection.

Pennsylvania Clean Stream Act: Act of June 22, 1937 (P.L. 1987, No. 394).

Pennsylvania Sewage Facilities Act: See "Act 537."

Permit: A document issued and approved by the Township for the installation of a new on-lot sewage disposal system or repair/alteration of an existing on-lot system. A permit is valid for a 3 year period. A permit must have the permit application, soils investigation and percolation test forms, system design and property plot plan on file as supporting documents. A permit must be signed by the SEO indicating final inspection and turned in to the Township before occupancy of dwelling can be approved.

Person: Any individual, association, public or private corporation for profit or not for profit, partnership, firm, trust, estate, department, board, bureau or agency of the Commonwealth, political subdivision, municipality, township, district, authority or any other legal entity whatsoever which is recognized by law as the subject of rights or duties. Whenever used in any clause prescribing and imposing a fine or imprisonment, the term shall include the members of an association, partnership or firm and the officers of any local agency or municipal, public or private corporation for profit or not for profit.

Privy: A tank designed to receive sewage where water under pressure is not available.

Pumper/Hauler: Any person, company, partnership or corporation which engages in cleaning community or individual sewage systems and transports the septage cleaned from these systems for disposal at a site approved by the PADEP.

Recycling Toilet: A device in which the flushing medium is restored to a condition suitable for reuse in flushing.

Rehabilitation: Work done to modify, alter, repair, enlarge or replace an existing on-lot sewage disposal system.

Reimburse: To pay back money actually spent.

Retaining Tank: A watertight receptacle which receives and retains sewage and is designed and constructed to facilitate ultimate disposal of the sewage at another site.

Seepage Pit: An excavation deeper than it is wide which receives septic tank effluent from which the effluent seeps into the surrounding soil through the bottom and openings in the side of the pit. The emphasis is on disposal rather than treatment. It is a non-regulatory compliant disposal method.

Septic System: A system consisting of a watertight receptacle (tank) which receives the discharge of sewage from a building sewer or part thereof and is designed and constructed so as to permit settling of settleable solids from the liquid, digestion and the discharge of the liquid portion into a distribution system for dispersion.

Septic Tank: A treatment tank that provides for anaerobic decomposition of sewage prior to its discharge to an absorption area.

Sewage: Any substance that contains any of the waste products or excrement or other discharge from the bodies of human beings or animals and any noxious or deleterious substances being harmful or inimical to the public health or to any animal or aquatic life or to the use of water for domestic water supply or for recreation or which constitutes pollution under the act of June 22, 1937 (P.L. 1987, No. 394), known as the "Clean Streams Law," as amended. Piped discharges from sinks, showers, toilets, washing machines, water softeners and other related fixtures constitutes sewage.

Sewage Enforcement Officer (SEO): The official of the local agency who reviews and issues permit applications as authorized by Act 537 and conducts such investigations and inspections as are necessary to implement Act 537 and the rules and regulations promulgated thereunder.

Sewage Facilities: A system of sewage collection, conveyance, treatment and disposal which will prevent the discharge of untreated or inadequately treated sewage or other waste into water of the Commonwealth or otherwise provide for the safe and sanitary treatment and disposal of sewage or other waste.

Sewage Management Program: A program authorized by the official action of a municipality for the administration, management and regulation of the disposal of sewage as defined by this document and the Harmony Township Act 537 Sewage Facilities Plan Update.

Small Flow Treatment Facility: An individual or community sewerage system designed to adequately treat sewage flows not greater than 2,000 gallons per day for final disposal using a stream discharge or other disposal methods approved by the PADEP.

Soil Horizon: A layer of soil approximately parallel to the soil surface, the chemical and physical characteristics of which are distinguishable by observation or other method of analysis, from the chemical and physical characteristics in adjacent soil layers.

Soil Mottling: A soil color pattern consisting of patches of different colors and shades of color interspersed with the dominant soil color which results from prolonged saturation of the soil.

Soil Profile: The collection of soil horizons, including the natural organic layers on the surface.

Spray Field: Piping, spray heads and ground surface to the outside edges of the wetted perimeter, used for the application and treatment of the sewage effluent in an individual residential spray irrigation system.

Subdivision: The division or redivision of a lot, tract or other parcel of land into two or more lots, tracts, parcels or other divisions of land, including changes in existing lot lines. The enumerating of lots shall include as a lot that portion of the original tract or tracts remaining after other lots have been subdivided therefrom.

Township: Harmony Township, Forest County, Pennsylvania.

Treatment Tank: A water-tight tank designed to retain sewage long enough for satisfactory bacterial decomposition of the solids to take place.

Water of this Commonwealth: Rivers, streams, creeks, rivulets, impoundments, ditches, water courses, storm sewers, lakes, dammed water, ponds, springs and other bodies or channels of conveyance of surface and underground water, or parts thereof, whether natural or artificial, within or on the boundaries of the Commonwealth.

6.0 DISCLAIMER AND HOLD-HARMLESS CLAUSE

Property owners and other persons or parties in control of all sewage treatment facilities within the Township, for themselves, their heirs, administrators, executors, successors and assigns, shall at all times defend and hold the Township harmless from any and all demands, claims, suits, legal expenses or judgments which may be brought against the Township and/or against any Township officials and employees and/or against the property owner or any of their successors in title for any alleged adverse conditions casually and directly related to the operation by property owner of the facility. The property owner shall have the duty to indemnify and defend the Township, its officials and employees against any claim or suit made by any person who alleges that adverse conditions have been caused by the operation by the property owner of the facility. In the event the Township deems it necessary, at its sole discretion, the Township may undertake its own defense as to any such claim and the property owner shall reimburse the Township for any expenses it may incur, including legal fees, engineering fees and other expert witness fees and shall pay any judgment rendered against the Township as a result of such suit. In the event the property owner, or its heirs, successors or assigns, shall fail to pay the costs, legal fees, judgments, other expenses or damages as herein provided and the Township is required to pay same, the Township shall have the right to recover said funds it has expended either by a civil action against the property owner, or its heirs, successors or assigns, or by causing a lien to be recorded on the property in an amount equal to the sums required to be expended, pursuant to the Municipal Claim and Tax Lien Law Act of May 16, 1923, P.L. 207, No. 153, as amended.

7.0 CONSTRUAL OF PROVISIONS

The Sewage Management Program is enacted as the necessary and existing framework for the prevention and abatement of nuisances resulting from pollution caused by on-lot sewage treatment facilities with surface discharge, to which the Clean Streams Act, by Section 701, and the Pennsylvania Sewage Facilities Act, by Section 15, are additional and accumulative. This SMP is not intended and should not be construed to be in conflict with the Clean Streams Act, nor the Pennsylvania Sewage Facilities Act, nor the rules and regulations adopted thereunder, but solely as a necessary framework to prevent and restrain violations of these acts and the rules and regulations of the PADEP adopted thereunder.

8.0 ADMINISTRATION METHODOLOGY AND RECORD KEEPING

The general methodology for administration of the SMP, including record keeping activities, is outlined as follows:

- A. The SMP applies to the entirety of Harmony Township.
- B. The Township has adopted the following ordinances necessary for implementation of the SMP included as Attachment B.
 - 1. Ordinance No. 04-15: Holding Tank Ordinance
 - 2. Ordinance No. 03-15: Privy Ordinance
 - 3. Ordinance No. 02-15: Sewage Management Ordinance
- C. The SMP will be administered by the Township's SEO, to whom the Township has delegated is authority to administer the SMP. Contact information for the SEO is as follows:

Northwest Soil Services
Todd Fantaskey
PA Certified Sewage Enforcement Officer #3086
1137 Follett Run Road, Warren, PA 16365
(814) 723-3775
- D. The Township will take enforcement actions and hear appeals concerning violations of the SMP reported by the SEO.
- E. Implementation of the SMP will begin with the first year being strictly educational to provide on-lot system regulations, permitting requirements and inspection and maintenance schedules to property owners in the Township. This will allow property owners an opportunity to come into compliance on their own accord although inspection and permitting is still required.
- F. After an educational year, a 10-year inspection schedule with roughly 90 properties surveyed per year prioritized based on need is proposed. The Township and the PADEP understand that the SMP will be a dynamic program and that the schedule may need to change as necessary throughout implementation to ensure success of the program.

- G. The Township will provide the SEO with pertinent information about each property.
- H. The SEO will establish a database of properties in the Township.
- I. Once the database has been created and properties prioritized based on need, the SEO will send a letter explaining the process and requirements of the SMP, as well as establishing contact to set up an initial SMP inspection on each property, to the first set of properties identified for inspection.
- J. The SEO will conduct initial SMP site investigations and determine necessary repairs, replacement or changes in O&M for each property. This may result in a mandated pumping of the on-lot system and subsequent on-lot system modifications, repair or replacement as determined by the SEO.
- K. The SEO will conduct additional site investigations as necessary.
- L. Permitting and/or repairs will be done in a timely manner as approved by the Township and advised by the SEO.
- M. The SEO will provide proper O&M instructions and recommendations to property owners.
- N. The above steps will be repeated for 90 properties annually until all properties have been brought into compliance.
- O. Homeowners will submit pumping records to the SEO.
- P. The SEO will maintain all records for the Township. The SEO will track data, develop reports, keep sampling and testing records and submit this information to the Township.
- Q. The Township will submit progress reports to the PADEP as necessary.
- R. The SEO's fee schedule contains all fees necessary for oversight of the SMP and is included herein as Attachment C.

9.0 ON-LOT SYSTEM DATABASE

The Township, in conjunction with the SEO, has developed a database of known, existing on-lot sewage disposal systems in the Township. This database will be revised and updated by the SEO throughout implementation of the SMP. The SEO will keep all records in the database on behalf of the Township and will provide an updated database to the Township as necessary. The initial database was constructed based upon the sewage disposal needs survey conducted in preparation of the Act 537 Plan. As part of that survey, the Township was broken down into several study areas. These study areas will be used to classify each property for the SMP database, but location has no impact on the inspection and compliance schedule of the SMP. The study areas are listed as follows:

- A. West Hickory downtown
- B. Tank Hill
- C. Dawson Run
- D. Northern West Hickory
- E. Stewart Run
- F. Neiltown
- G. Trunkeyville
- H. McArthur Run
- I. Preacher Hill
- J. Areas not classified during the sanitary survey

The database will contain, at a minimum:

- A. Property owner name
- B. Property mailing address
- C. Property owner primary address and phone number
- D. Tax Parcel ID number
- E. Property study area classification
- F. On-lot system type
- G. On-lot system type count
- H. On-lot system status
- I. On-lot system permit information
- J. SMP compliance information

10.0 STANDARDS FOR ON-LOT SEWAGE TREATMENT FACILITIES

- A. No person may install, and the SEO may not issue a permit for or approve, an on-lot sewage disposal system which violates the provisions of Chapter 72 and Chapter 73 of Title 25 Pa. Code or this SMP.
- B. The general site location and absorption area requirements of Chapter 73 of Title 25 Pa. Code § 73.11 apply to this SMP.
- C. The site location of a proposed absorption area or spray field shall meet the requirements of Chapter 73 of Title 25 Pa. Code § 73.12.
- D. The minimum horizontal isolation distances established in Chapter 73 of Title 25 Pa. Code § 73.13 shall be maintained.
- E. The Township's SEO shall conduct site investigations as necessary prior to permit issuance in accordance with the requirements of Chapter 73 of Title 25 Pa. Code § 73.14.
- F. The Township's SEO shall conduct percolation tests as necessary in accordance with the procedure established in Chapter 73 of Title 25 Pa. Code § 73.15.
- G. Absorption areas and spray fields for single family dwellings not served by a community sewage system shall meet the area requirements of Chapter 73 of Title 25 Pa. Code § 73.16.

- H. The design of community on-lot sewage systems shall be based on the criteria established in Chapter 73 of Title 25 Pa. Code § 73.17.
- I. Building sewers shall meet the requirements of Chapter 73 of Title 25 Pa. Code § 73.21.
- J. Septic tanks shall be designed and constructed in accordance with the requirements of Chapter 73 of Title 25 Pa. Code § 73.31.
- K. Aerobic treatment tanks shall be designed, constructed and tested in accordance with the requirements of Chapter 73 of Title 25 Pa. Code § 73.32.
- L. Dosing and distribution of effluent from a treatment tank to a dosing tank, distribution box or directly to an absorption area shall be in accordance with the requirements of Chapter 73 of Title 25 Pa. Code § 73.41.
 - 1. Gravity distribution shall meet the requirements of Chapter 73 of Title 25 Pa. Code § 73.42.
 - 2. Pressurized distribution is required in certain instances as established in Chapter 73 of Title 25 Pa. Code § 73.43. Pressurized distribution shall be designed in accordance with the requirements of Chapter 73 of Title 25 Pa. Code § 73.44.
 - 3. Dosing tanks shall be constructed in accordance with Chapter 73 of Title 25 Pa. Code § 73.45.
 - 4. Dosing pumps, siphons and lift pumps shall meet the specifications of Chapter 73 of Title 25 Pa. Code § 73.46.
- M. Construction of absorption areas shall be in accordance with the requirements of Chapter 73 of Title 25 Pa. Code § 73.51.
 - 1. Design and construction of standard trenches shall be in accordance with the requirements of Chapter 73 of Title 25 Pa. Code § 73.52.
 - 2. Seepage beds shall meet the requirements of Chapter 73 of Title 25 Pa. Code § 73.52(b)(5), (6), (8) and (10)-(16) and the additional specifications of Chapter 73 of Title 25 Pa. Code § 73.53.
 - 3. Subsurface sand filter beds and trenches shall be designed and constructed in accordance with Chapter 73 of Title 25 Pa. Code § 73.54.
 - 4. Elevated sand mounds shall be designed and constructed in accordance with Chapter 73 of Title 25 Pa. Code § 73.55.
- N. Retaining tanks, as discussed in Chapter 73 of Title 25 Pa. Code § 73.61, are individual sewage systems and require permits. They shall only be used where the PADEP finds a gives written notice to the SEO that the requirements of Chapter 71 of Title 25 Pa. Code have been met.

1. Holding tanks shall be designed and constructed in accordance with Chapter 73 of Title 25 Pa. Code § 73.62.
 2. Privies shall be located and constructed in accordance with Chapter 73 of Title 25 Pa. Code § 73.63. A privy without a vault shall be considered a cesspool which is unauthorized for use in the Township and requires modification such as installation of a vault, holding tank or other on-lot system type as determined by the SEO.
 3. Chemical toilets or other portable toilets may be used at temporary construction sites, facilities providing temporary recreational or sporting activities (such as a special event) or temporary seasonal facilities other than those intended for human habitation. In these circumstances, chemical toilets or other portable toilets may be exempt from the on-lot permitting requirements of Chapter 72 of Title 25 Pa. Code at the discretion of the SEO. Improper installation or maintenance of these toilets shall constitute a nuisance under section 14 of the Pennsylvania Sewage Facilities Act and enforceable by the SEO. Chemical toilets shall meet the requirements of Chapter 73 of Title 25 Pa. Code § 73.64. Multiple installations of chemical toilets or other portable toilets proposed for temporary use at a construction site, a recreation activity or a temporary facility shall be permitted under one permit.
 4. Recycling toilets, incinerating toilets or composting toilets shall meet the requirements of Chapter 73 of Title 25 Pa. Code § 73.65.
- O. Experimental sewage systems may be considered in certain cases as established in Chapter 73 of Title 25 Pa. Code § 73.71. A person desiring to install an experimental sewage system or alter a component of an existing system using a method, technology or design determined to be experimental by the PADEP shall submit complete preliminary design plans and specifications to the SEO and the PADEP for review and comment prior to submitting an application for a permit. The PADEP will determine if classification as an experimental system, method, technology or design is appropriate for the submission and provide review comments to the SEO. Experimental systems will be approved for use only when it has been determined that other individual or community sewage disposal systems meeting the requirements of Chapter 73 of Title 25 Pa. Code cannot function properly. Prior to issuing a permit for an experimental sewage system, the SEO shall consider the comments of the PADEP.
- P. Alternate sewage systems may be considered in certain cases as established in Chapter 73 of Title 25 Pa. Code § 73.72. A person desiring to install an alternate sewage system shall submit complete preliminary design plans and specifications to the SEO and the PADEP for review and comment prior to submitting an application for a permit. The PADEP will determine if classification as an alternate system is appropriate and provide review comments to the SEO. An alternate system shall be design in accordance with Chapter 73 of Title 25 Pa. Code § 73.72. Prior to issuing a permit for an alternate sewage system, the SEO shall consider the comments of the PADEP.
- Q. Bonded disposal systems shall meet the requirements of Chapter 73 of Title 25 Pa. Code § 73.77. Standards for financial assurances established in Chapter 73 of Title 25 Pa. Code § 73.151 apply to this SMP.

- R. Individual residential spray irrigation systems (IRSIS) standards established in Chapter 73 of Title 25 Pa. Code § 73.161 shall be met. Standards described in the following sections shall also be met: § 73.1, 73.12-73.14, 73.16, 73.17, 73.21, 73.31, 73.32, 73.41 and 73.43.
1. Two types of intermittent sand filters are available for use with IRSIS. The standards for free access sand filters and buried sand filters established in Chapter 73 of Title 25 Pa. Code § 73.162 shall be met.
 2. Spray fields shall be in accordance with Chapter 73 of Title 25 Pa. Code § 73.163.
 3. Chlorine contact/storage tanks shall in accordance with Chapter 73 of Title 25 Pa. Code § 73.164.
 4. Disinfection shall be in accordance with Chapter 73 of Title 25 Pa. Code § 73.165.
 5. Pressure distribution for IRSIS shall be in accordance with Chapter 73 of Title 25 Pa. Code § 73.166.
 6. Periodic O&M is required for IRSIS. O&M for IRSIS shall be in accordance with Chapter 73 of Title 25 Pa. Code § 73.167.

11.0 PERMITTING REQUIREMENTS

- A. The SEO, on behalf of the Township, will handle the permitting of on-lot sewage disposal systems in Harmony Township. The SEO shall utilize the permitting requirements outlined in the Chapter 72 of Title 25 Pa. Code, when considering the issuance of on-lot system permits.
- B. No person may install, and the SEO may not issue a permit for or approve, a sewage system which violates the SMP. Subsequent amendments of Chapters 71, 72, and 73 will supersede the citations within the SMP.
- C. No person may install, construct or request bid proposals for construction or alter an individual sewage system or community sewage system or construct or request bid proposals for construction or install or occupy any building or structure for which an individual sewage system or community sewage system is to be installed without first obtaining a permit from the SEO indicating that the site and the plans and specifications of such system are in compliance with the SMP, the provisions and standards adopted pursuant to Act 537, and the requirements of the PADEP.
- D. A permit is not required for the installation of a recycling toilet, incinerating toilet, composting toilet or other type of water conservation device when there is already an existing functioning system such as a permitted holding tank or conventional septic tank and absorption area if no alteration to the on-lot system is proposed. If the toilet, incinerating toilet or composting toilet is the only means of wastewater disposal on a property, then that device must be permitted in accordance with Chapter 71, 71 and 73 regulations.

- E. Application for a permit to install an on-lot sewage disposal system shall be made by the owner, owner in equity or a person who is an authorized agent of the owner or the owner in equity, on a form provided by the PADEP. The Township, by means of current ordinances, and the SEO may require additional information to assure that the system and the site are consistent with this SMP, Act 537 and the rules and regulations of the PADEP.
- F. Issuance of permits shall be in accordance with the provisions of Chapter 72 of Title 25 Pa. Code § 72.25.
- G. Denial of permits shall be in accordance with the provisions of Chapter 72 of Title 25 Pa. Code § 72.26.
- H. Expiration and transfer of permits shall be in accordance with the provisions of Chapter 72 of Title 25 Pa. Code § 72.27.
- I. Revocation of permits shall be in accordance with the provisions of Chapter 72 of Title 25 Pa. Code § 72.28.
- J. Permitting for on-lot systems serving properties which are being sold are subject to the requirements of Chapter 72 of Title 25 Pa. Code § 72.32.
- K. No building or construction of a small flow treatment facility; individual residential spray irrigation system; in ground with slope in excess of 20%; certain infiltration systems plus and new emerging technologies may occur until a preconstruction meeting has been held with the appropriate Township and PADEP officials, the manufacturer of the sewage treatment facility, the installer of the sewage treatment facility, the property owner and the property owner's registered professional engineer.
- L. No building or construction of an on-lot treatment facility, standard in ground or sand mound, may occur until a preconstruction meeting has been held with the SEO and the installer.
- M. No system or structure designed to provide individual or community sewage disposal shall be covered from view until approval to cover the same has been given by the SEO. If three (3) business days have elapsed, excepting weekends and holidays, since the SEO issuing the permit received notification of completion of construction, the applicant may cover said system or structure unless permission has been specifically refused by the SEO.
- N. The Township may require applicants for sewage permits to notify the SEO of the schedule for construction of the permitted on-lot sewage disposal system so that inspection(s) in addition to the final inspection required by Act 537 may be scheduled and performed by the SEO.
- O. No building or occupancy permit shall be issued by the Township or its designated appointee for a new building which will contain sewage-generating facilities until a valid sewage permit has been obtained from the SEO.
- P. No building or occupancy permit shall be issued and no work shall begin on any alteration or conversion of any existing structure if said alteration or conversion will result in the increase or potential increase in sewage flows from the structure until the structure's owner receives from

the SEO either a permit for alteration or replacement of the existing sewage disposal system or written notification that such a permit will not be required. The certified SEO shall determine whether the proposed alteration or conversion of the structure will result in increased sewage flows.

Q. Systems the SEO may not permit and may only be permitted by the PADEP are as follows:

1. On-lot systems treating more than 10,000 gallons per day;
2. Systems that require a permit under the Clean Streams Law; and
3. Systems to treat and dispose of industrial wastes.

R. Fee schedule: For privies and holding tanks, refer to the current ordinance. For all other on-lot systems, permitting fees are on file at the Township office and are subject to change by resolution of the Board of Supervisors.

12.0 CONNECTION REGULATIONS FOR COMMUNITY ON-LOT SEWAGE DISPOSAL SYSTEMS

- A. Installation and connection to a community on-lot sewage disposal system would require appropriate sewage facilities planning before the SEO could consider permitting multiple connections.
- B. Before any connection shall be made to a community on-lot sewage disposal system, an application for inspection to connect to the collecting system shall be completed by the owner and submitted to the SEO. This will be required for each individual occupied building whether constructed as a detached unit or as one of a pair or row.
- C. The SEO designated by the Township shall be given at least enough notice as specified in current ordinance of the Township of the time when such connection shall be made in order that said SEO can be present to inspect and approve work of connection. The inspector shall signify his approval of the connection by endorsing his name and the date of approval on the aforementioned connection permit in the possession of the permittee. Times for inspection shall be mutually agreeable to the SEO and the lot owner.
- D. At the time of the inspection of the connection, the owner of properties shall permit the SEO full and complete access to all sanitary and drainage arrangements and facilities in each building and in and about all parts of the property. No building sewer line shall be covered over or in any manner concealed until after it is inspected and approved by said inspector. If the lateral is to be connected to an existing septic tank, the septic tank, as well as the pipe from the house to the septic tank, shall be uncovered to permit inspection of those facilities.
- E. All sewer pipe shall be installed in strict accordance with the manufacturer's recommendations. Where rock trench foundation exists, a 4 inch gravel cradle shall be provided under the pipe.

13.0 REQUIREMENTS FOR PRIVATE SMALL FLOW SEWAGE TREATMENT FACILITIES

If no on-lot system can be installed on a property, a small flow treatment facility may also be considered with the approval of the PADEP. When a resident or property owner proposes the construction of a single residential small flow treatment facility, the applicant must provide the PADEP with the appropriate information, as determined by PADEP regulations, in support of such proposal. The design capacity for a small flow treatment facility shall be based on the following:

- A. A single-family residence shall be designed based on a minimum flow of 400 gpd and a minimum organic load of 1.13 lbs. BOD₅ per day for a residence with three bedrooms or less; the flow shall be increased by 100 gpd and the organic load shall be increased by 0.34 lbs. BOD₅ per day for each additional bedroom over the minimum. The flow indicated provides for the use of garbage grinders, automatic washing machines, dishwashers and water softeners.

In order to protect the health, welfare and safety of the residents of the Township, it shall be the duty of the owner, occupant and other person in control of all private small flow sewage treatment facilities within the Township to comply with all PADEP requirements.

14.0 MINIMUM O&M REQUIREMENTS FOR ON-LOT SEWAGE DISPOSAL SYSTEMS

- A. Only normal domestic wastes shall be discharged into any on-lot sewage disposal system. The following shall not be discharged into the system:
 - 1. Industrial waste;
 - 2. Automotive oil and other nondomestic oil;
 - 3. Toxic or hazardous substances or chemicals, including but not limited to pesticides, disinfectants, acids, paints, paint thinners, herbicides, gasoline and other solvents;
 - 4. Clean surface or ground water, including water from roof or cellar drains, springs, basement sump pumps and French drains; and
 - 5. All other general discharge prohibitions of the Township.
- B. Minimum O&M for treatment components when used with conventional on-lot systems:
 - 1. Septic Tank

Any person(s) owning a building, whether for permanent or seasonal use, which is served by an on-lot sewage disposal system containing a septic tank is required to have the tank pumped, at a minimum, every 3 years. However, in the event that the volume of solids in the tank reaches 75% of its available capacity prior to the 3 year minimum, the owner must schedule pumping immediately as to avoid potential discharge of inadequately treated effluent onto the surface of the ground or into the waters of the Commonwealth.

Septic tanks shall be pumped to remove septage whenever the specified pumping period has elapsed since the previous pumping or more frequently if it is determined to be necessary by the Township or the SEO due to malfunction, above hydraulic loading of the system, or based on the size of the tank. Measurement of the sludge and scum depth in the septic tank is necessary to determine the need and frequency of pumping unless pumping every 3 years is determined to be appropriate.

Inspection of the septic tank, inlet and outlet baffles, and solids retainer for structural integrity is required every 3 years.

2. Aerobic Treatment Tank

Pump out aerobic tanks in accordance with manufacturer's and NSF requirements as based on the measurement of sludge and scum depth during inspection.

Annual inspection is required to measure sludge and scum depth in the aerobic treatment tank and for structural integrity in accordance with manufacturer's and NSF requirements. When used with an individual residential spray irrigation system (IRSIS), inspection is required every 6 months to measure sludge and scum depth in the aerobic treatment tank and for structural integrity in accordance with manufacturer's and NSF requirements.

3. Intermittent Free Access Sand Filter

Inspection of the free access media filter is required periodically by the property owner and every 6 months by an individual, firm or corporation experienced in the operation and maintenance of the system for compliance with the requirements of PA Code Chapter 73, Section 73.167.

4. Intermittent Buried Sand Filter

Inspection of the buried intermittent media filter bed is required periodically by the property owner and every 6 months by an individual, firm or corporation experienced in the operation and maintenance of the system for compliance with the requirements of PA Code Chapter 73, Section 73.167.

5. Chlorination

When used with an individual residential spray irrigation system (IRSIS), O&M of a chlorinator shall be in accordance with the O&M manual provided by the manufacturer. The chlorinator shall be refilled as needed or as determined via inspection.

Inspection of the chlorinator is required periodically by the property owner and every 6 months by an individual, firm or corporation experienced in the operation and maintenance of the system to determine if the chlorinator is functioning within the specifications of the manufacturer and that bridging of chlorine tablets is not occurring.

Sampling of the chlorinator is required periodically by the property owner and every 6 months by an individual, firm or corporation experienced in the operation and maintenance of the system for compliance with the requirements of PA Code Chapter 73, Section 73.167.

6. Distribution Box

Leveling of a distribution box or adjustment of weirs is required as necessary to ensure equal distribution to each lateral. Inspection of a distribution box is required for structural integrity and to accomplish adjustments when a treatment tank is in need of repair or replacement, when deficiencies in structural integrity are discovered, or whenever there are indications of ponding of effluent over the absorption area or downgradient seepage.

7. Dosing Tanks and Lift Pump Tanks

Dosing tanks shall be pumped whenever the septic tank or aerobic treatment tank is pumped. Inspection shall be completed annually for structural integrity. When used with an individual residential spray irrigation system (IRSIS), inspection shall be completed every 6 months for structural integrity and for compliance with the requirements of PA Code Chapter 73, Section 73.167.

8. Dosing Pumps, Siphons and Lift Pumps

Testing of all operation level switches and all alarms associated with the distribution system shall be completed annually. Inspection of all pumps, siphons, and electrical connections shall be completed annually. When used with an individual residential spray irrigation system (IRSIS), testing and inspection shall be completed every 6 months as required by PA Code Chapter 73, Section 73.167.

9. Seepage Bed

Inspection of the absorption area shall be completed annually to ensure that there is no ponding of effluent over the absorption area or downgradient seepage.

10. Standard Trenches

Inspection of the absorption area shall be completed annually to ensure that there is no ponding of effluent over the absorption area or downgradient seepage.

11. Elevated Sand Mound Bed

Inspection of the elevated sand mound bed shall be completed annually to ensure that there is no ponding of effluent over the bed absorption area or downgradient seepage.

12. Elevated Sand Mound Trenches

Inspection of the elevated sand mound trenches shall be completed annually to ensure that there is no ponding of effluent over the trench absorption area or downgradient seepage.

13. Subsurface Sand Filter Bed

Inspection of the subsurface sand filter bed shall be completed annually to ensure that there is no ponding of effluent over the filter bed area or downgradient seepage.

14. Subsurface Sand Filter Trenches

Inspection of the subsurface sand filter trenches shall be completed annually to ensure that there is no ponding of effluent over the filter trench area or downgradient seepage.

15. Individual Residential Spray Irrigation System (IRSIS)

O&M shall be conducted in accordance with an O&M manual provided by the system designer. The manual may be supplemented with manufacturer's manuals and instructions and must, as a minimum, include the following required standards for O&M:

- The plumbing to the spray field shall be functional and free of leaks.
- The spray nozzles shall be functioning within the design specifications (the extent of the designed wetted perimeter and each nozzle).
- A laboratory shall test the discharge to the system for fecal coliforms, carbonaceous biochemical oxygen demand (CBOD), suspended solids and chlorine residual to determine compliance with PA Code Chapter 72.
- A copy of the test results shall be submitted to the SEO at least annually along with the most recent inspection of the system by an individual, firm or corporation experienced in the operation and maintenance of the system.

Inspection is required periodically by the property owner and every 6 months by an individual, firm or corporation experienced in the operation and maintenance of the system as required by PA Code Chapter 73, Section 73.167.

Sample collection of the discharge to the system from the dosing tank, analysis by a certified laboratory, and reporting of results to the SEO to determine compliance with PA Code Chapter 72 for fecal coliforms, carbonaceous biochemical oxygen demand (CBOD), suspended solids and chlorine residual shall be completed at least annually.

16. Holding Tank

Holding tanks shall be pumped immediately upon warning indication by the installed warning device that the tank is filled to within 75% of capacity or every 5 years, whichever occurs first. Testing of the installed warning device shall be completed annually. Inspection of the holding tank for structural integrity is required every 5 years.

Holding tanks shall be pumped to remove septage whenever the specified pumping period has elapsed since the previous pumping or more frequently if it is determined to be necessary by the Township or the SEO due to malfunction, above hydraulic loading of the system, or based on the size of the tank.

17. Privy

Privy vaults shall be pumped as needed, but not less often than when the vault is filled to within 75% of capacity. Inspection of the privy at least every 5 years for the following:

- That the vault is structurally sound and water tight.
- That the roof-ventilation stack is screened to prevent insect entry.
- That the exterior cleanout is accessible.
- That the superstructure is insect-tight, well ventilated, and fastened solidly to the vault.
- That the door is self-closing and provided with weather stripping to make it insect proof.
- That the seat and cover are in good repair and the cover is self-closing.
- That surface water cannot flood the vault.

The SEO will assess privies on a case by case basis to determine if the privy is adequate based on whether the system serves a permanent or seasonal residence. The above requirements may be altered based on the use of the system as determined by the SEO.

18. Chemical Toilet or Other Portable Toilet

O&M shall be conducted in accordance with the designer's or manufacturer's specifications. Inspection of the toilet at the time of delivery for conformance with the designer's or manufacturer's specifications may be required at the discretion of the SEO.

19. Recycling Toilet, Incinerating Toilet or Composting Toilet

O&M shall be in accordance with the designer or manufacturer's specifications and according to the O&M manual provided by the designer or manufacturer.

20. Small Flow Sewage Treatment Facilities

Minimum O&M requirements for small flow sewage treatment facilities (SFSTF) are established in PADEP's document entitled *Small Flow Treatment Facilities Manual* (DEP ID: 362-0300-002). These requirements will be set by the SEO on a case by case basis.

21. PADEP Permitted Non-municipal Sewage Facilities

O&M of PADEP permitted non-municipal sewage facilities shall be in accordance with standards established through a condition in the permit issued by the PADEP.

- C. Homeowners are advised to contact any of the qualified pumpers/haulers in close proximity to the Township which may be capable of providing septic tank pumping and cleaning services outlined in Table 1.

Table 1: Qualified Septage Haulers		
Pumper/Hauler	Location	Phone Number
Bauer’s Septic Service	Lucinda, PA	814-744-8048
Buerk’s Septic service	Saint Mary’s, PA	814-781-7165
Landscape Connections, LLC	Franklin, PA	814-437-7246
Machokas Trucking	Oil City, PA	814-677-4875
Patterson Septic Services	Jackson Center, PA	814-786-7945
Powell’s Sanitation and Construction	Meadville, PA	814-333-3191
Waste Treatment Corporation	Warren, PA	814-726-1500
Zacherl’s Septic Service	Venus, PA	814-354-2153

- D. Surface contouring and other measures consistent with PA Code Chapter 73 to divert stormwater away from treatment facilities and absorption areas shall be maintained to protect absorption areas from physical damage.
- E. Property owners are advised of the importance good water conservation practices and the potential value of water conservation, recycle or reuse systems to reduce hydraulic loading to sewage facilities to prolong the life of the sewage system.
- F. All electrical, mechanical and chemical components of the sewage facilities, collection and conveyance piping, pressure lines and manholes, alarms and flow recorder devices, pumps, disinfection equipment and related safety items shall be properly maintained according to PADEP requirements, the recommendations of the respective manufacturers and the SEO.

15.0 INSPECTION, OBSERVATION AND REPORTING REQUIREMENTS

Implementation of the SMP will begin with the first year being strictly educational to provide on-lot system regulations, permitting requirements and inspection and maintenance schedules to property owners in the Township. This will allow property owners an opportunity to come into compliance on their own accord although inspection and permitting will still be required. A 10-year inspection schedule will begin after the educational year.

After the educational kick-off year, inspections related to the SMP will be initiated through a proposed 10-year inspection schedule based on prioritized need as established by the Township. There are approximately 900 total housing units in Harmony Township, so the inspection schedule will include roughly 90 properties per year. The Township and the PADEP understand that the SMP will be a dynamic program and that the schedule may need to change throughout implementation to ensure success of the program. Based on the sanitary survey that was conducted in preparation of the Act 537 Plan, the Township will categorize each property into one of the following categories and complete inspections in this order:

- A. Confirmed malfunctions on permanent properties
- B. Confirmed malfunctions on seasonal properties
- C. Suspected malfunctions on permanent properties
- D. Suspected malfunctions on seasonal properties
- E. Appears functional on permanent properties
- F. Appears functional on seasonal properties
- G. All other properties not surveyed as part of the sanitary survey

The intent of the SMP will be to address each property in order of need, with confirmed malfunctions inspected and brought into compliance first, followed by suspected malfunctions, functional systems in the planning areas, and finally properties throughout the remainder of the Township that were not surveyed in preparation of the Act 537 Plan. Permanent residences will be addressed prior to seasonal residences under each classification. The order will be established by the Township based on a randomized lottery system. This order can be modified at any point based on need. For example, if a complaint is received or a sewage discharge is identified, the property will be moved to the top of the order.

The SEO will initiate the 10-year inspection program by sending a letter to the first 90 properties identified for inspection. The letter will explain the process and purpose of the SMP. This letter will include critical information pertaining to the SMP including explanation of malfunctioning systems, definition of a compliant privy and identification of the first round of SMP inspections, for example. Property owners will select a date and time to meet the SEO at the property for a mandatory SMP inspection. The SEO will attempt to make inspections at a time agreeable to the owner and the Township or any time after 10 days after no response has been received to a certified written notice.

The inspection will include a physical tour of the property and having the property owner locate and/or uncover their septic tank for a visual inspection. The inspection may also include the taking of samples from surface water, wells, other groundwater sources, the sampling of the contents of the sewage disposal system itself and/or the introduction of a traceable substance into the interior plumbing of the structure served to ascertain the path and ultimate destination of wastewater generated in the structure with permission of landowner or by legal procedures instituted by the Township. The SEO will ask property owners questions about their sewage system, water usage, pumping maintenance schedule, etc. Based on this initial inspection, one of two possible outcomes will result:

1. The property is compliant. The property owner will have to present proof that they had the system pumped within the previous 5 years or will have to have the system pumped within 6 months following the initial inspection.
2. The system is not compliant. System modifications, repair or replacement must be completed as identified by the SEO.

Depending on how the site visit goes, an additional site visit or soil evaluation may need to be conducted in accordance with the SMP as determined by the SEO. Permitting and/or repairs will need to be done in a timely manner as approved by the Township Supervisors and advised by the SEO. The SEO will provide instruction for proper operation and maintenance activities including pumping requirements and submission of pumping records to the Township.

All records, reports, files and other written materials relating to the installation, operation and maintenance and malfunction of on-lot sewage disposal systems in Harmony Township shall become the property of the Township, but will be maintained by the SEO. Existing and future records can be requested for public review during regular business hours at the Harmony Township building. All records pertaining to sewage permits, building permits, occupancy permits and all other aspects of the SMP shall be made available, upon request, for inspection by representatives of the PADEP. An annual report will be submitted to the PADEP according to its direction.

16.0 REPAIR REQUIREMENTS FOR ON-LOT SEWAGE FACILITIES

In the event the SMP inspections indicate the need for repair, replacement and/or maintenance of any component, part or all of the system in order to bring the on-lot system into compliance with SMP and PADEP regulations, the property owner shall complete such repairs, replacement and/or maintenance and obtain certification from the SEO that the work has been completed in accordance with appropriate standards. Certification must be provided within 120 days of the date of notice from the Township or the SEO. During the period of time when the facility is inoperable and/or incapable of treating the discharged effluent so as to meet and/or exceed those standards of the PADEP as aforementioned, the property owner, at the property owner's expense, shall make the necessary arrangements to remove said effluent and arrange for the appropriate disposition of same at a properly certified and licensed sewerage disposal facility. Where the property owner causes the effluent to be removed, he shall, upon request of the Township, provide an agreement with a hauler providing for the removal. The property owner agrees to continue hauling effluent until such time as the system has been properly certified as being operable by the SEO. In the event the property owner fails or refuses to achieve timely compliance with the provisions for repair, replacement and/or maintenance of the sewage treatment facility, the property owner will be considered guilty of a summary offense and, upon conviction thereof before a District Justice, shall be subject to a fine as per current ordinance of the Township.

17.0 PREVENTION AND ABATEMENT OF PUBLIC NUISANCE

- A. It is hereby declared to be a violation of the SMP, the Clean Streams Act and the Pennsylvania Sewage Facilities Act, resulting in a summary offense and public nuisance, for a permittee, or the owner, occupant or person in control of an on-lot sewage treatment facility:
1. To fail to monitor discharge as required by statute, regulation or ordinance;
 2. To fail to report the results of monitoring, testing, sampling, inspection or maintenance as required by statute, regulation or ordinance;
 3. To suffer or permit the actual discharge of improperly or incompletely treated sewage;
 4. To fail to report the discharge of improperly or incompletely treated sewage;
 5. To refuse to permit reasonable inspection, testing, sampling or monitoring of the facility for malfunctioning or subdivision or building permits by PADEP or Township representatives;

6. To fail to fulfill any of the standard or special conditions of the permits issued for the on-lot sewage treatment facility with surface discharge or to meet any other conditions, regulations or requirement of statutes, regulations or ordinances relative to such facility.
 7. To fail to meet the permitting, design, construction, inspection, O&M regulations set forth by the provisions of this SMP.
- B. The O&M of a single-family residence sewage facility contrary to the Clean Streams Act, the Pennsylvania Sewage Facilities Act, the Rules and Regulations of the PADEP and the standard or special conditions of any applicable permit or this SMP is hereby declared to constitute a public nuisance. Upon the discovery of such state of affairs, Harmony Township shall notify the landowner to remove or abate the nuisance. In default of the removal or abatement of the nuisance, the Township may:
1. Proceed pursuant to Section 702 of the Second Class Township Code to remove any nuisance or dangerous structure on public or private grounds after notice to the landowner to do so and, in his default, to collect the cost of such removal together with a penalty of 20% of the actual costs of removal or abatement;
 2. To institute proceedings in equity; and
 3. To institute summary proceedings for violation of statute, rules and regulations of the PADEP or for violation of this SMP. The Township is specifically authorized to proceed under any one or more of the above-mentioned courses of action.

18.0 ENFORCEMENT

When the results of monitoring, testing, sampling, inspection or other evidence indicates a violation of the Clean Streams Act, the Pennsylvania Sewage Facilities Act, the Rules and Regulations of the PADEP or this SMP, the SEO shall notify the appropriate officials of the PADEP and shall report same to the Township Supervisors. The SEO is authorized by the Supervisors to serve notice upon the violator and to proceed in court to abate any nuisance or to restrain or prevent any violation of the Clean Streams Act in accordance with Section 601 and 602 thereof or to abate any nuisance or to restrain any violation of the Pennsylvania Sewage Facilities Act in accordance with Sections 12 and 13 thereof. If it appears to the SEO that a violation of this SMP has occurred, the SEO shall initiate enforcement proceedings by sending an enforcement notice as provided in this Section. The enforcement notice shall be sent to the owner of record of the parcel on which the violation has occurred, to any person who has filed a written request to receive enforcement notices regarding that parcel or to any person requested in writing by the owner of record. The enforcement notice shall state at least the following:

- A. The name of the owner of record or any other person against whom the Township intends to take action;
- B. The location of the property in violation;
- C. The specific violation with the description of the requirements which have not been met, citing in each instance the applicable provisions of the ordinance;

- D. The date before which the steps for compliance must be commenced and the date before which the steps must be completed;
- E. That the recipient of the notice has the right to appeal to the PADEP within a prescribed period of time indicated in the enforcement notice;
- F. All costs applicable to the enforcement shall be charged to the violator.

19.0 VIOLATIONS AND PENALTIES

Any person, association, corporation or partnership that violates any provision of this SMP is guilty of a summary offense and, upon conviction thereof before a District Justice, shall be subject to a fine as per current ordinance of the Township.

20.0 FINANCIAL RESPONSIBILITIES AND PAYMENTS OF COSTS AND EXPENSES

An annual administrative fee shall be paid to Harmony Township by every property owner in the Township. The Township will mail an annual Sewage Management bill to each individual property owner for collection of annual fees. Within 30 days of receipt of said bill, property owners shall send a check or money order, in the amount indicated, payable to Harmony Township. The initial amount of the administrative fee shall be fifty dollars (\$50.00). This amount can be changed at any time by Resolution of the Supervisors of Harmony Township.

The costs for the initial SMP inspection and any additional inspections, system testing and/or soils testing shall be paid by the property owner via checks made payable to Harmony Township according to the SEO's fee schedule. Payment shall be provided to the SEO at the time of inspection or testing. The SEO will deliver all checks to the Township and will then invoice the Township to recover costs related to oversight of the Sewage Management Program. The Sewage Enforcement Officer fees will be set by motion at the organizational meeting by the Board of Supervisors held each January according to the fee schedule set by the municipal SEO. The SEO's current fee schedule, included herein as Attachment C, contains fees for oversight of the Sewage Management Program.

In circumstances in which the Township incurs any costs and expenses, both direct and indirect and including necessary attorney fees, resulting from property owners failing to comply with the requirements of this SMP, these costs and expenses shall be paid by the property owner to the Township within 30 days after said costs or expenses are incurred by the Township. If said costs or expenses are not paid to the Township within said time period, the Township shall have the right to file and enforce a lien with interest and penalties at current Township borrowing rate against the property pursuant to the Municipal Claims Act, as amended.

21.0 PUBLIC EDUCATION

Public education is an essential part of the SMP. Educating homeowners and property owners served by on-lot sewage disposal systems will be a cornerstone to the success of this SMP. Public education regarding specific operation and maintenance needs of sewage facilities will be essential to gaining acceptance of and compliance with the provisions of this SMP.

Implementation of the SMP will begin with the first year being strictly educational to provide on-lot system regulations, permitting requirements, inspection and maintenance schedules, and information as to the consequences of not maintaining the facilities to property owners in the Township. This will allow property owners an opportunity to come into compliance on their own accord although inspection and permitting will still be required.

Public education initiatives which will likely be undergone during the first year of implementation of the SMP include the following:

- A. Individual written notifications or an educational pamphlet.
- B. Public meetings.
- C. Postings in the Township building and at the Post Office.
- D. Postings on the Township website.

22.0 ANNUAL REPORTING

Harmony Township will submit annually, to the Pennsylvania Department of Environmental Protection, progress reports documenting the status of the Sewage Management Program. This report shall include a summary of properties inspected during the previous year, a summary of system conditions identified, permitting and system updates, a summary of properties proposed to be inspected in the subsequent year, any setbacks inhibiting implementation of the Sewage Management Program, and any other information as directed by the Pennsylvania Department of Environmental Protection.