

ACT 537 – UNDERSTANDING ONLOT SEWAGE DISPOSAL AT LEASED STATE FOREST AND STATE PARK CAMPSITES

The Department of Environmental Protection (DEP) and the Department of Conservation and Natural Resources (DCNR) entered into a joint policy in June 1996 (modified December 2002) regarding privies, holding tanks, and water supplies under pressure for existing leased campsites on state lands. (This policy is included in the Appendix.) To further provide clarification to Sewage Enforcement Officers (SEOs) and campsite Lessees of the obligations under Act 537, the Pennsylvania Sewage Facilities Act (the Act) and DEP's and DCNR's regulations regarding sewage disposal on leased campsites, DEP and DCNR have partnered to develop this fact sheet.

What is a leased forest/park campsite?

A state forest/park leased campsite is a small parcel of state forest or state park land (approximately ¼ acre) that is leased by DCNR Bureau of Forestry and Bureau of State Parks (the Bureaus) to an individual or to a group of individuals to maintain a cabin solely for recreational purposes. The parcel of land is the property of the Commonwealth of Pennsylvania, while the cabin structure is privately owned and can be bought and sold. There are approximately 4,000 leased campsites across Pennsylvania. DCNR stopped leasing campsites in 1970, but existing leases are still utilized by the public.

What laws and/or regulations govern sewage disposal in Pennsylvania?

The Act was enacted on January 24, 1966 to address existing sewage disposal problems and to prevent future problems. To meet these objectives, the Act requires proper planning of all types of sewage facilities, permitting of onlot sewage systems (OSS), as well as uniform standards for designing OSS. OSS include sewage disposal systems that utilize soil absorption areas or drainfields, holding tanks, privies, composting toilets, incinerating toilets, and recycling toilets to treat, hold, and/or dispose of the sewage on the same lot that it is generated on.

DEP developed regulations to address the Act, effective May 15, 1972. Title 25, *Pa. Code*, Chapter 71 relates to the administration of the Act's sewage facilities planning process, Chapter 72 discusses the rules for OSS permitting and Chapter 73 addresses the technical standards for the design of OSS. All three chapters are available at [The Pennsylvania Code](#) website.

Who is responsible for administering the Act and DEP's regulations?

All municipalities must develop and implement a comprehensive official sewage facilities plan that addresses the present and future sewage disposal needs of its residents. DEP reviews and approves these official plans and any subsequent revisions.

Local or joint-local agencies, through their SEO, manage the permitting program for OSS. The SEO is responsible for conducting soil profile testing, percolation testing, OSS design review, and approving or denying OSS permit applications. The SEO and the individual installing an OSS must follow the standards established in Chapter 73 of DEP's regulations. DEP's primary role in the OSS permitting process is to provide oversight to local agencies and SEOs.

What are DCNR's requirements concerning sewage disposal and water supplies at leased campsites?

As the property manager, the Bureaus have the responsibility to ensure proper environmental stewardship of state forest and state park land. This includes any sewage produced at leased forest/park campsites be disposed of in accordance with the Act. The sewage facilities law requires that all sewage system installations, construction, alterations, or repairs need prior approval from the municipality and DEP, as well as approval by the local SEO who is the agent for the municipality in sewage related matters. In addition to these approvals, the local District Forester or Park Manager must approve of any system installation or repair on state forest or state park land. **The Bureaus do not allow new sewage systems that utilize any type of drainfield, regardless of SEO approval or permit.** DCNR will allow sealed vault privies if permitted by the SEO. DCNR will allow composting, incinerating, and recycling toilets if installed and permitted according to DEP regulations. Holding tanks will be allowed only in the case of a sewage malfunction and if permitted by the SEO.

Drilled water wells and piped water from springs and streams into a camp building is considered "water under pressure." As of January 1, 2016, water under pressure is not allowed to enter into any camp building. If new

water wells are approved to be drilled by the District Forester or Park Manager, the water will not be allowed to be piped into the camp building. All water must be hand-carried into the cabin. If prior to January 1, 2016, water entered the cabin under pressure and the Lessee has a permit issued by an SEO for the sewage system currently installed, and the Lessee has all necessary written approvals from DCNR, then DCNR and DEP will allow water under pressure into the cabin to remain until such time that the sewage system fails or the District Forester or Park Manager requires the pressurized water system to be removed.

It is important for the forest district or state park, municipality, and SEO to work closely together on sewage matters at leased campsites on DCNR lands since both DCNR and DEP have regulations that affect the type of OSS that can be approved.

Do cabins at leased forest/park campsites have indoor plumbing with running water and flush toilets?

The majority of the cabins do not have indoor plumbing or flush toilets. Water is hand-carried in for minimal usage and sanitary facilities consist of an outside privy. Any water hand-carried into the cabin must be disposed of so as not to create a nuisance or public health hazard. Several scenarios exist where certain cabins may have existing indoor plumbing. In these cases, the sewage must be properly disposed of either through connection to a public sewerage system, a properly permitted OSS, or an otherwise grandfathered OSS. For example, an OSS installed prior to May 15, 1972 or a previously SEO-approved OSS is considered an existing means of sewage disposal and the indoor plumbing with water under pressure and the existing OSS will be allowed to remain, unmodified, until such time as a sewage malfunction is determined to exist.

If a cabin has a water supply that needs to be replaced, what should be done?

If an existing water supply source or water supply line into the cabin deteriorates, the Lessee may apply to the Bureau for permission to replace the existing water supply source or water supply line. Application and approval is accomplished using a *Leased Campsite Water Use Agreement*. Upon application, the Lessee will be directed by DCNR to contact the municipality and request that the SEO inspect the campsite's sewage disposal facilities and provide proof that there is an existing, functioning OSS on the campsite. If the SEO inspects the OSS and finds a problem or malfunction, the Lessee must obtain a permit from the SEO to correct or replace the OSS and the Lessee must receive approval from the District Forester or Park Manager to do so before the water supply source or water supply line is replaced.

If a cabin does not have indoor plumbing, can a water supply be connected to the inside of the cabin either from a stream, spring, or a drilled well? How should the sewage generated in this case be disposed of?

If a water supply line is not already connected to the inside of the cabin, water from a stream, spring, well, or other water supply source **may not** be piped into the cabin.

A well may, however, be drilled on the campsite as a water supply source. The Lessee must first request and receive approval to install this well from the District Forester or Park Manager. The well will not be approved for connection of piped water into the cabin. The Lessee must install an outdoor hand pump or frost-free hydrant at the source and hand-carry the water into the cabin.

If there was no water supply source previously connected to the inside of the cabin, there was no need for an OSS with a drainfield on the campsite previously. Indoor plumbing and flush toilets require a means of sewage disposal. It is the policy of the Bureaus that no new OSS which utilize a drainfield will be permitted to be installed on a campsite, regardless of SEO approval or permit. Therefore, if a newly drilled well is found to be connected to the inside of a cabin with a water supply line, the District Forester or Park Manager will require that the water supply line to the cabin be disconnected at the Lessee's expense.

Can greywater or sink drainage from a cabin be piped and disposed of into a privy?

No. Greywater is considered sewage under Pennsylvania rules and regulations and must be disposed of properly according to those same rules and regulations. Privies are designed to dispose of sewage on lots that have no water under pressure and no piped wastewater from the cabin to the privy, now or in the future. Plumbing to move wastewater, even if just from sink discharges, from the cabin to the privy is illegal, and the SEO will require this piping to be disconnected from the privy and the wastewater properly disposed of.

Can wastewater from a cabin be disposed of into a holding tank?

It depends. If a cabin has a malfunctioning OSS, and the SEO is unable to find an acceptable replacement area, then a holding tank can be used to abate the malfunction. A holding tank may not be used in lieu of other methods

of sewage disposal due to their need for regular service and maintenance to prevent their malfunction and overflow.

Under no circumstances can a Lessee pipe water into a cabin and then request a holding tank permit from the SEO. The SEO cannot issue a permit for a holding tank under this circumstance and the District Forester or Park Manager will require that the water supply line to the cabin be disconnected at the Lessee's expense.

Can composting, incinerating, or recycling toilets be installed inside a cabin?

Yes, in most cases. These types of toilets are very different from normal household flushing toilets in that they are waterless vessels and require more operation and maintenance. They must be installed, operated and maintained according to the manufacturer's specifications. However, since they do not require a water supply or drainfield, they may be good candidates for Lessees who would like to install indoor toilets to their state forest/state park cabin. Contact the District Forester or Park Manager and the municipal SEO for specific requirements, approvals, and/or permits prior to the installation of these types of toilets.

If the cabin is to be rebuilt, can indoor plumbing be installed?

If the cabin is rebuilt on the same site as the old cabin and had a functioning OSS and a water supply with a water supply line into the cabin, these amenities may be installed in the new cabin. Several issues need to be evaluated in these cases. The Lessee will need to work closely with the District Forester or Park Manager and the SEO to establish what is required.

If the cabin is rebuilt on a lot in a different location, the Lessee will not be able to install an OSS nor will the Lessee be able to install indoor plumbing or connect a water supply line into the cabin.

Generally speaking, what improvements to drinking water and sanitation can and can't be done to a leased forest/park cabin?

Sewage – Sewage disposal facilities constructed prior to May 15, 1972 and that have not been modified, are considered grandfathered. If the facilities are working, there is no need for improvement. If the facilities are malfunctioning, a repair or replacement system must be installed. Any changes done to an OSS must be permitted by the SEO and approved by the District Forester or Park Manager prior to any work beginning. With the exception of a replacement OSS to correct an existing malfunctioning OSS, no new OSS utilizing a drainfield will be allowed to be installed on any leased campsite on state forest or state park land. Holding tanks can be installed as a replacement for a malfunctioning OSS when there is no suitable soil or sufficient area to install a replacement absorption area or drainfield. As the need to replace a pit privy or pit latrine arises, the privy will be upgraded to a sealed vault privy. Piped wastewater is not allowed to be connected to any privy for any reason. The addition of composting, incinerating, and recycling toilets may be installed inside the cabin in lieu of water-flushing toilets.

Water – If a water supply line is connected to the cabin, sewage is generated. Since sewage disposal facilities constructed prior to May 15, 1972 are grandfathered, water supply lines installed prior to May 15, 1972 can remain or be replaced if needed. Sewage generated must be disposed of properly. This can occur by a properly functioning OSS or a holding tank if the OSS malfunctions. Per the Bureaus' policy, failures to comply with sewage enforcement regulations will result in termination of DCNR's Leased Campsite Water Use Agreement and require the removal of the water supply system from state forest or state park lands and could also be grounds for termination of the campsite lease. No new water supply sources will be allowed to be connected to the inside of the cabin. On a case-by-case basis, with prior permission from the District Forester or Park Manager, wells may be drilled on the campsite and outfitted with a hand pump or frost-free hydrant to allow for hand-carrying of water into the cabin. Manmade structures can also be constructed to pipe water from springs and streams to a collection point outside of the cabin to allow for hand-carrying of water into the cabin. If a newly approved water supply source, whether pressurized or piped, is found connected to the inside of a cabin without proper sewage disposal facilities, the District Forester or Park Manager will require that the water supply line to the cabin be disconnected at the Lessee's expense.

Proof that installation of water supply systems or sewage disposal facilities occurred prior to May 15, 1972 is the sole responsibility of the Lessee.

For more information, visit www.dep.pa.gov and click on "Regional Resources" or visit DCNR's [Leased Campsites webpage](#).

APPENDIX

Department of Conservation and Natural Resources

Statement of Policy

Sewer and Water Systems on Leased Campsites

June 1996

(Modified December 12, 2002)

Background:

Since 1970, the Bureaus of State Parks and Forestry have stopped issuing leases for cabin development on State Park and State Forestland. New cabins are permitted to be constructed under Act 57 of 1995, which provides for construction of a cabin if the original one is destroyed by fire or by natural causes or if it must be relocated on a new site for the benefit of the Bureaus.

The current sewage facilities law does not permit the installation of sewage disposal systems that result in water under pressure being disposed of in sealed vaults; however, the law does provide for such existing systems to be "grand fathered in." Furthermore, conventional sewage systems (septic systems and sand mounds) are not always acceptable on forest or park leased camp sites because of the inadequate area to hold septic fields and the unsuitability of the soils to pass percolation tests.

Policy:

In compliance with provisions of the sewage facilities law, the Department of Conservation and Natural Resources will not permit the introduction of water under pressure into cabins where such systems do not already exist. The use of existing holding tanks in combination with water under pressure or piped water will be phased out whenever cabins are relocated.

In situations where wells are required to correct health or safety problems, wells may be permitted provided that the drilling, can be accomplished without damaging the environment. If the leased premises are without pressurized water systems, than water under pressure will not be permitted to be introduced into the cabins. In these cases, only hand pumps and outside faucets are permitted and water will be carried into the cabins. An exception occurs if a spring or storage tank is the source of water under pressure and the source is eventually replaced with a well. In this example, one pressurized water source is replaced with another. When cabins are relocated, water under pressure is prohibited at the new location; therefore, the new site must be served by a privy with a sealed vault.

All privies must be regularly inspected by Forestry and Parks personnel to ensure they are maintained in a satisfactory operating condition. Lessees will be notified of malfunctions and the problems will be reported to the local Sewage Enforcement Officer.