

Act 537 - Overview

Pennsylvania Sewage Facilities Plan for Upper Salford Township

Summary – Act 537

Act 537 was passed by the Pennsylvania Legislature in 1966. The Act makes all Pennsylvania municipalities, including Upper Salford Township, responsible for all sewage facilities planning within their township borders. This includes: 1) Failing on-lot systems (address with public sewers and/or sewage management plans); 2) overloaded municipal sewer systems; and 3) new land development.

Act 537 requires a written plan with the following content: 1) Summary; 2) previous sewage planning; 3) physical character of land area in the municipality i.e.: geology and soils, hydrogeology, population; 4) existing sewage facilities; 5) projected growth and needs; 6) considered alternatives; 7) selected alternatives; 8) implementation including costs, financing, administration and scheduled implementation dates; and 9) maps of the township identifying study areas and potential sewer districts.

History – Upper Salfords 537 Planning

1971 – Montgomery County prepared the Montgomery County Sewage Facilities (Act 537) Plan for the county and its municipalities. The plan did not identify the need for public sewage facilities within Upper Salford Township.

1978 to early 1980's - Montgomery County updated the county 537 Plan which noted existing on-site sewage problems in Woxall, Salfordville and Bergey areas. Among its recommendations was a sewage treatment plant in Woxall.

1996 – present – The Township has contracted with engineering firms to collect data relative to failed sewage systems and well contamination, identify sewage needs areas and submit drafts of a Sewage Facilities Plan. These drafts have been under review by the Joint Boards of Supervisors and Planning Commission.

Draft 537 Plan Overview

The Township was separated into four (4) study areas which are the Woxall (Bittersweet) Area, Salfordville Area, Salford Area and the Rural Balance of the township. Well testing and Sewage Surveys were performed by or under the supervision of a certified Sewage Enforcement officer and were conducted in the Woxall, Salford and Salfordville Areas.

Woxall (Bittersweet) Area

A total of 99 field surveys and well samples were obtained from the 134 properties within the Woxall study area. Of the wells tested, 45 tested positive for total coliform, 7 tested positive for fecal coliform and 6 for the presence of nitrate-nitrogen levels in excess of 5 mg/L. A total of 28 properties have suspected malfunctions of the on lot disposal systems (OLDS).

Salfordville Area

A total of 33 field surveys and wells samples were obtained from the 75 properties within the Salfordville study area. Of the wells tested, 17 tested positive for total coliform, 8 tested positive for fecal coliform and 14 for the presence of nitrate-nitrogen levels in excess of 5 mg/L. A total of 24 properties have suspected malfunctions of the on lot disposal systems (OLDS).

Salford Area

A total of 28 field surveys and wells samples were obtained from the 69 properties within the Salford study area. Of the wells tested, 14 tested positive for total coliform, 3 tested positive for fecal coliform and 0 for the presence of nitrate-nitrogen levels in excess of 5 mg/L. A total of 6 properties have suspected malfunctions of the on lot disposal systems (OLDS).

Rural Balance of the Township

A total of 14 field surveys and well samples were obtained from 16 properties on the periphery of the Woxall study area. Of the wells tested, 4 tested positive for total coliform, 0 tested positive for fecal coliform and 4 for the presence of nitrate-nitrogen levels in excess of 5 mg/L. A total of 7 properties have suspected malfunctions of the on lot disposal systems (OLDS). Montgomery County Health Department (MCHD) has provided a list of 21 confirmed malfunctions within the rural balance of the Township. There are no pattern to these failures that demonstrates a systemic problem in any one area.

Overall Results of the Field Surveys

When applying the criteria set forth in the PA DEP Technical Guidance Manual "Act 537 Sewage Disposal Needs Identification" for determining potential malfunctions, all properties within the study areas of Woxall, Salfordville and Salford meet the criteria for potential malfunctions.

Proposed Actions in Draft 537 Plan

Woxall, Salfordville and Salford Study Areas – Create Sewer Districts requiring property owners within these districts to connect to a public sewer. Numerous collection, conveyance, treatment and disposal systems were evaluated with costs ranging from approximately \$6 - \$20 million.

Recommendations/Proposal – Woxall, Salfordville and Salford Study Areas - Central Waste Water Treatment Plant to be expanded at Shelly Square Shopping Center. Cutter pumps would be installed at each property and a small diameter force main would connect to the Treatment Plant. Estimated 2008 construction costs \$6 million. With tapping fees at \$4,000 the annual connection charge is estimated to be approximately \$1,700. If tapping fees were increased to \$16,000 the annual connection fee is estimated to be approximately \$965. (These are budget numbers only)

Recommendations/Proposal – Rural Balance of the Township – Property owner responsible for OLDS operation, maintenance and replacement. Proof of pump out of septage every three years and Township Administered Education Program.

Issues to be Resolved - 1) Commitment by the township to a public sewer solution for the failed/failing systems; 2) Define specific sewer district; 3) Define parameters for opting out of the sewer connection based on lot size, etc.; 4) Setting initial tapping fees \$4,000 - \$16,000; 5) Determine requirement to connect to sewer if within 150 feet of the sewer main; 6) Determine engineering parameters for minimum connections for the system to function and operate within acceptable parameters; 7) Who is responsible to pay for the system – properties within sewer districts or all township properties; 8) Funding opportunities, grants, etc.

Oversight

The Pennsylvania Department of Environmental Protection (DEP) has responsibility for Township compliance of Act 537. (www.pacode.com – Title 25, Chapters 71, 72 & 73)
By letter dated June 15, 2006, DEP notified the Township that the Official Sewage Facilities Plan Update had not been submitted. Subsequently, by letter on June 12, 2007, DEP requested within 30 days a schedule identifying the milestones that must be met and the anticipated date of completion leading to submission of the Act 537 update.