I. INTRODUCTION

This proposed Act 537 Sewage Facilities Plan Update for West Penn and Walker Townships, Schuylkill County, Pennsylvania has been prepared in accordance with the Pennsylvania Sewage Facilities Act (Act 537); the Pennsylvania Code Title 25 – Department of Environmental Protection (DEP) Chapters 71, 72, & 73; as well as the Clean Streams Law.

The current Act 537 Sewage Facilities Plan for West Penn Township was officially updated in 1992. The Walker Township Act 537 Plan is the original plan prepared for the township several decades ago. Planning efforts for this proposed Act 537 Sewage Facilities Plan Update began in 2004 with the submission of a DEP Task Activity Report (TAR) by West Penn Township, dated January 1, 2004. The prior township engineering consultant for both Walker and West Penn Townships, Ludgate Engineering Corporation of Reading, PA (Ludgate), conducted planning efforts listed in the 2004 TAR. In October 2007, the document entitled "The Regional Act 537 Sewage Facilities Plan for West Penn Township and Walker Township" dated revised March 5, 2007 (Books 1 & 2 of 2) [Appendix L-1 & 2] was submitted to DEP for review. Upon review, DEP found the document to be "Administratively Incomplete" as outlined in the DEP correspondence dated December 6, 2007 [Appendix R-I-1].

Representatives from West Penn Township and Rettew Associates, Inc. (RETTEW) met with DEP at their Pottsville District Office on April 8, 2008 to review the submitted plan update and to evaluate how best to address the cited deficiencies. It was determined that most of the work and documents prepared by Ludgate (2007 Report) was satisfactory, however additional data and evaluation was needed to complete the planning requirements of Act 537. On behalf of West Penn and Walker Townships, RETTEW prepared a revised TAR dated September 30, 2008 [Appendix R-I-2a] which included the previous 2007 report and additional tasks required to address all of the provisions of Act 537. DEP approved the revised TAR within their correspondence dated December 8, 2009 [Appendix R-I-2a].

This proposed Act 537 Sewage Facilities Plan Update utilizes the prior 2007 report documents for the basis of the additional work performed by RETTEW. In general, the majority of the 2007 report research and planning is retained, specifically the identification and description of the physical analysis of the planning area. The specific limits of each study area remain unchanged and include the villages of South Tamaqua, Clamtown/Reynolds, Andreas, and Snyders [**Exhibit R-I-1** 2011 Act 537 Plan Update Study Area Location Map and **Exhibits II-1, II-2a, II-2b, II-3, and II-4** Service Area Maps]. The RETTEW work (2008 through 2011) focused on supplementing the 2007 report documents with a detailed Feasibility Study for Community On-lot Sewage Disposal Systems [Appendix R-V-1]; existing well sampling; identification of sewage treatment alternatives; evaluation of alternatives; as well as completion of the Agency and Public Review requirements of Act 537 (2011).

In July 2010, the West Penn Township Board of Supervisors formally created a Sewer Committee from the previous ad hoc committee with the adoption of Resolution 11-2010 [Appendix R-I-3]. The Sewage Committee consists of seven (7) citizens from West Penn Township and two (2) citizens from Walker Township. RETTEW has been meeting with the Sewer Committee to review portions of this Act 537 Plan Update to evaluate data and reports as they become available. A separate Inter-Municipal Agreement between the Supervisors of West Penn and Walker Townships was adopted March 24, 2011 [Appendix R-I-4] which referenced the DEP Approved TAR signed by both municipalities in 2008 and outlines the

cost sharing of the plan update study based upon a proportional equivalent dwelling unit (EDU) sewage flow for each township based upon the 2007 report prepared by Ludgate.

The RETTEW work (2008-2011) was previously concluded with the Draft Act 537 Sewage Facility Plan Update dated July 2011 being accepted for public review by both West Penn and Walker Township Boards of Supervisors based upon the conditional recommendations of the Sewer Committee dated August 1, 2011 [Appendix R-I-5b]. At that time, the recommended most cost effective alternative included sewage collection in South Tamaqua, Clamtown, and Reynolds and pumping to the Tamaqua Borough Wastewater Treatment Plant and, collection and package treatment plants with new stream discharges for Andreas and Snyders. This alternative had an estimated capital construction cost of $11.5 MM to serve 360 equivalent dwelling units (EDUs). With a 45% grant and 40 year low interest loan from USDA Rural Utilities Service, the preliminary estimated annual user fee would have been $1,242 per EDU ($103.50 per month). Although the Sewer Committee believed the report was thoroughly completed, the Committee expressed their concern of affordability.

The previous Public Review Period ended with a Public Hearing at the Tamaqua Junior High School Auditorium September 29, 2011. Very few township residents appeared or submitted written or verbal comments regarding the July 2011 Draft Plan Update.

Prior to the Public Hearing, an informal review meeting was held with the Sewer Committee and representatives of PA DEP on September 16, 2011. The meeting minutes were summarized in a RETTEW memorandum dated September 20, 2011 [Appendix R-I-5a]. PA DEP concurred with the Sewer Committee's concern that the most cost effective recommended alternative was not affordable. Due to the age of the prior Needs Assessment Survey prepared by Ludgate (2003), PA DEP recommended that a new Needs Assessment Survey be conducted to determine exactly which properties are experiencing on-lot sewage facility malfunctions. It was also recommended that the TAR be expanded for this task.

On behalf of West Penn and Walker Townships, RETTEW submitted a revised TAR for a new Needs Assessment which was approved by PA DEP March 13, 2012 [Appendix R-I-2b]. A new door-to-door needs assessment project was completed in 2012. Lehigh Soils and Wetlands, as sub-consultant to RETTEW, completed the Sewage Disposal Needs Identification Report dated October 2012, hereafter referred to as the "2012 Needs Assessment". This report was amended to include "Wildcat Sewer" dye testing, per PA DEP request, at the end of March 2013 [Appendix R-VI-2]. PA DEP approved the TAR wildcat addendum January 22, 2013 [Appendix R-I-2c]. The conclusion of this "Needs Assessment" was two-fold: (1) wildcat sewers were identified by positive dye testing in the villages of South Tamaqua and Andreas; and, (2) the previous needs assessment study, which dates back to 2003, significantly overstated the amount of existing sewage facility malfunctions.

The currently proposed Act 537 Sewage Facilities Plan Update for West Penn and Walker Townships, dated May 2013, consists of the following bound documents:

1. This cover report entitled Act 537 Sewage Facilities Plan Update for West Penn and Walker Townships prepared by RETTEW, dated May 2013;
2. The two book volumes base report prepared by Ludgate dated March 2007 [Appendix L-1 & 2];

3. The Feasibility Study for Community On-Lot Sewage Disposal Systems prepared by RETTEW, dated June 6, 2011 [Appendix R-V-1], including the RETTEW COLDS Memo Addendum dated May 9, 2013 [Appendix R-V-2];
4. The "2012 Needs Assessment" [Appendix R-VI-2].

To facilitate the review of this plan update, the 2013 Act 537 Plan Update report prepared by RETTEW follows the same outline as the 2007 base report prepared by Ludgate. Each RETTEW chapter references the reports prepared by Ludgate and clearly describes which narrative sections, exhibits, appendices, and maps from the previous report are being retained and which sections, exhibits, appendices, and maps are being superseded by this RETTEW Act 537 Plan Update report. This methodology has been utilized to avoid unnecessary costs, liability, and confusion which may arise from the current consultant directly editing the work of a prior consultant.

The goal of this proposed Act 537 Sewage Facilities Plan Update is to satisfy the planning regulations of Act 537; provide sewage facility solutions for the specific study areas; and provide a sewage planning implementation schedule for West Penn and Walker Townships.

2007 Report Chapter I – Introduction

A. The Pennsylvania Sewage Facilities Act (Act 537)

This Section is retained unaltered with the following exceptions:

1. *Under Section 71.12, sub paragraph 3 references the Eastern Schuylkill Planning Comprehensive Plan, Zoning Ordinance, and Subdivision and Land Development Ordinance (SALDO). To date Walker Township has adopted the regional ESP Ordinances; however, West Penn Township opted not to adopt the ESP Ordinances and continues to utilize their existing Municipal Planning Code (MPC) Ordinances.*

B. Sewage Facility Plans (Act 537 Plans)

This Section is retained unaltered.

C. West Penn and Walker Townships and their Act 537 Plans

This Section is retained unaltered with the following exceptions:

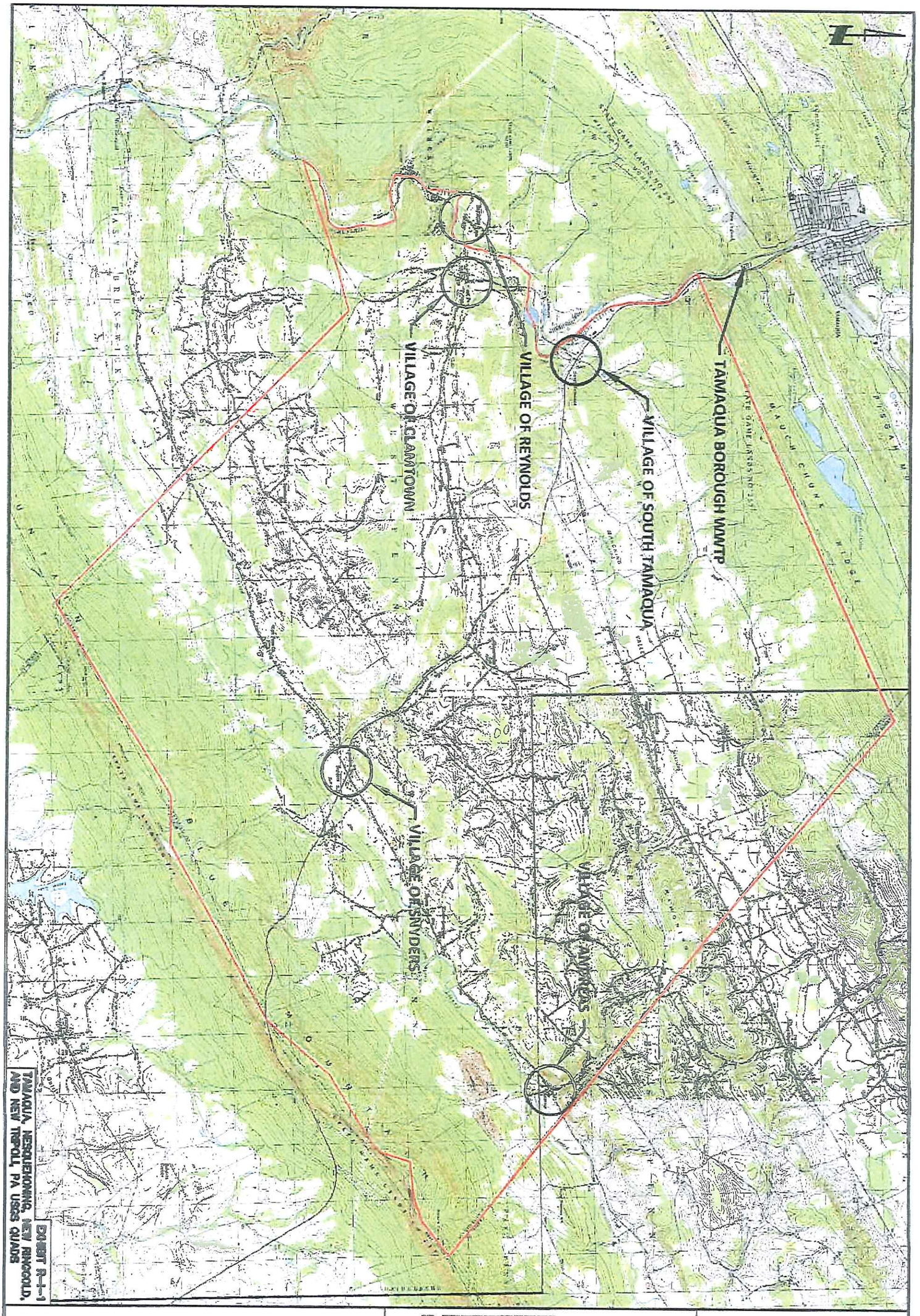
1. *The fourth paragraph after item 5 describes the prior agreement between West Penn Township, Walker Township, and PA DEP that the Village of Reynolds in Walker Township will be included in the Act 537 Plan Update. The paragraph also describes that the two townships were near adoption of the Eastern Schuylkill Planning (ESP) Comprehensive Plan, Zoning Ordinance, and Subdivision and Land Development Ordinance (SALDO). To date Walker Township has*

adopted the regional ESP Ordinances; however West Penn Township opted not to adopt the ESP Ordinances and continues to utilize their existing Municipal Planning Code (MPC) Ordinances.

2. *The fifth paragraph after Item 5 describes the "Study Areas". These study areas remain unchanged and are shown in Map-1. However an 11" x17" supplemental USGS based Study Area location Map R-II-1 is provided in this report.*

3. *The sixth paragraph after item 5 refers to an "Act 537 Plan Content and Environmental Assessment Checklist" within Appendix 2-1. A new May 2013 checklist is provided in Appendix R-XIV-1.*

Exhibit R-I-1 2011 Act 537 Plan Update Study Area Location Map



WEST PENN AND WALKER TOWNSHIPS
ACT 537 SEWAGE FACILITY PLAN

2011 PLAN UPDATE

WEST PENN TOWNSHIP SCHUYLKILL COUNTY, PA

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DRAWN BY: CH
DATE: JULY 2011
SCALE: 1" = 5000'
DWG. NO. 08-03486-005