



# pennsylvania

DEPARTMENT OF ENVIRONMENTAL PROTECTION

SOUTHEAST REGIONAL OFFICE

November 17, 2011

Collegeville Borough  
491 East Main Street  
Collegeville, PA 19426-2645

Lower Providence Township  
100 Parklane Drive  
Eagleville, PA 19403

Perkiomen Township  
1 Trappe Road  
Collegeville, PA 19426

Skippack Township  
1246 Bridge Road  
Skippack, PA 19474

Trappe Borough  
525 West Main Street  
Trappe, PA 19426

Upper Providence Township  
1286 Black Rock Road  
Oaks, PA 19546

Re: Act 537 Plan Update  
APS ID 468747, AUTH ID 484953  
Lower Perkiomen Valley Regional Sewer Authority  
Montgomery County

Ladies and Gentlemen:

Section 5(a) of the Pennsylvania Sewage Facilities Act (Act 537) requires that municipalities:

Submit to the Department of Environmental Protection (Department) an officially adopted plan for sewage services for areas within its jurisdiction within such reasonable period as the Department may prescribe, and shall from time to time submit revisions of such plan as may be required by rules and regulations adopted hereunder or by order of the Department.

In addition, 25 Pa. Code Chapter 71, Sections 71.12(a) and 71.13 essentially authorize the Department to require municipalities to revise their official plans when the Department determines the official plan is inadequate to meet the sewage needs of the municipality, its residents, or property owners or because of newly discovered facts, conditions, or circumstances that make the plan inadequate.

Collegetown Borough  
Lower Providence Township  
Perkiomen Township  
Skiptack Township  
Trappe Borough  
Upper Providence Township

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The Department hereby requests that you undertake an update revision to your official plan due to the following reasons:

1. The Act 537 Plan Approval dated February 26, 2004 (copy enclosed), for the expanded sewage treatment plant and associated Perkiomen Creek Interceptor utilized 310 gpd/equivalent dwelling units (EDUs). Page 7 of the Lower Perkiomen Valley Regional Sewer Authority's (LPVRSAs) 2010 Chapter 94 Annual Report indicates a flow rate of 275 gpd/EDU to be utilized for flow projections. This flow figure is inconsistent with the Act 537 Plan Approval. LPVRSAs desire to utilize the 275 gpd/EDU flow figure without a revision to all affected tributary municipality Act 537 Plans may adversely affect flow projections and sewage treatment and conveyance capacity management for all tributary municipalities. Additional sewage facilities planning is required in order to allocate any additional capacity that may become available as a result of using the lower EDU flow figure and to reevaluate the long-term sizing needs of collection, conveyance, and treatment infrastructure.
2. On February 4, 2009, LPVRSAs submitted a Department Water Quality Management permit application for the design, construction, and operation of the "middle" portion of the Perkiomen Interceptor (Middle Interceptor).

By letter dated April 16, 2010, Lower Providence Township outlined their concerns to the Department regarding the location of a portion of the Middle Interceptor between Hoy Park and the Cider Mill Bridge. As a result, we held a meeting at LPVRSAs office on April 28, 2010, and informed the authority that a portion of its application proposing the Middle Interceptor location is inconsistent with the approved Act 537 Plan. We also informed the authority that in order for us to issue the Middle Interceptor permit we would have to approve revised sewage facilities planning from each affected municipality in order to provide for this location. On April 30, 2010 (copy enclosed), the Department informed, LPVRSAs that their Water Quality Management permit application was inconsistent with applicable municipal Act 537 Plans, specifically, the inconsistency of the proposed location of a segment between Manholes 38 and 53.

The Department received a document titled "Middle Interceptor Alternative Analysis" dated August 2, 2010, prepared by Bursich Associates, Inc. The document presents the LPVRSAs analysis of why the Oaks Middle Interceptor should be located along the route presented in LPVRSAs Water Quality Management permit application. We informed, LPVRSAs by letter dated August 11, 2010 (copy enclosed), that until such planning is approved by the Department, we considered the information to be advisory in nature. We were unable to issue their Water Quality Management permit.

Collegeville Borough  
Lower Providence Township  
Perkiomen Township  
Skippack Township  
Trappe Borough  
Upper Providence Township

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On April 26, 2011 (copy enclosed), we notified, LPVRSA that their application for the Middle Interceptor would be returned. LPVRSA, by letter dated May 26, 2010, disputed our position.

To date, no action has been taken by any affected municipality to revise the official plan to allow for the change in location of a portion of the Middle Interceptor from the Upper Providence Township side of Perkiomen Creek to the Lower Providence Township side of Perkiomen Creek.

3. The Commonwealth of Pennsylvania Department of Corrections owns and operates the Graterford Prison (Prison). The Prison informed the Department on April 27, 2009, that they will be constructing a new prison to replace the existing prison. Initially, we required the Prison to conduct Act 537 planning (copy enclosed) for the proposed new prison and associated utilization of their modified wastewater treatment system to service the new facility. In order to allow timely construction to begin on the new prison, we signed a Memorandum of Understanding (MOU) (copy enclosed) with the various involved Commonwealth agencies on November 20, 2009. The MOU, in part, directed the Prison to work with Skippack Township to revise its official plan to accommodate the new prison. The MOU directed the Prison to evaluate a number of issues, including sewage flow, treatment plant compliance, proposed effluent limitations, and conveyance, treatment, and discharge alternatives. On January 6, 2010, we issued a letter (copy enclosed) waiving planning requirements for the new Prison construction based on the continued use of the Prison's wastewater treatment system. However, on July 26, 2011, the Department of Corrections and the Department of General Services informed the Department they would like to utilize public sewer service instead of the Prison operating its own sewage treatment plant. In conversations with Skippack Township officials, it became clear to the Department that there might be potential long-term adverse impact on the sewage conveyance and treatment capacity of the other LPVRSA tributary municipalities if the Prison pursues connection to public sewers. While the Department is supportive of the public sewer alternative, this sewage disposal choice also requires additional planning.

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LPVRSA

Collegeville Borough  
Lower Providence Township  
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Trappe Borough  
Upper Providence Township

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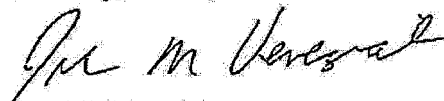
The official plan revision must contain all the requirements found in 25 Pa. Code Chapter 71, Section 71.21 and applicable portions of Chapter 71, Subchapter D. In addition, the Department expects the official plan update to focus on the following technical and administrative issues:

1. An evaluation of the conveyance capacity of the existing Middle Interceptor relative to current average and peak flows, as well as average and peak projected flows. If projected sewage flows exceed available capacity, please submit a Capacity Management Plan to manage remaining capacity until construction of the Middle Interceptor is completed. The Capacity Management Plan should include, at a minimum, a listing of tributary projects, a location map, and a discussion of how LPVRSAs and the tributary municipalities will implement the Capacity Management Plan.
2. An evaluation of the "first-come-first-serve" concept of utilizing sewage conveyance and treatment capacity.

The Department reserves its right to consider future enforcement action in the event you do not undertake the requested update revision.

If you have any questions regarding the information required, please call me at 484.250.5175.

Sincerely,



John M. Veneziale  
Sewage Planning Specialist 2  
Water Management

Enclosures: Lower Providence Township Letter: April 19, 2010  
Department Letters Regarding the Middle Interceptor: February 26, 2004,  
April 30, 2010, August 11, 2010, and April 26, 2011  
Department Letters Regarding the Prison: June 25, 2009, and January 6, 2010, MOU

cc: Montgomery County Health Department  
Montgomery County Planning Commission  
Mr. Roshong - Lower Perkiomen Valley Regional Sewer Authority  
Senator John C. Rafferty, Jr.  
Ms. Mahoney  
Planning Section  
Re 30 (joh11wqm)321

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