

**DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF WATER SUPPLY AND WASTEWATER MANAGEMENT**

DOCUMENT ID: 362-5512-001

TITLE: PA Sewage Facilities Act 537, Enforcement Reimbursement

EFFECTIVE DATE: January 4, 2000
Minor revisions were made throughout on July 27, 2001.

AUTHORITY: Act 537 of 1966, the Pennsylvania Sewage Facilities Act (as amended), 25 Pa Code Chapter 72.

POLICY: Under the provisions of the Pennsylvania Sewage Facilities Act, Act 537, and the rules and regulations of the Department of Environmental Protection, Chapter 72, Subchapter C, financial assistance is provided annually to local agencies for performing enforcement activities under Section 7 of the Act. Reimbursement payments are made in an amount equal to no more than one-half of the eligible expenses.

PURPOSE: To establish a standard procedure for the processing of enforcement reimbursement applications and issuing payments to local agencies.

APPLICABILITY: This guidance will assist Act 537 program staff in the review and processing of Act 537 enforcement reimbursement applications.

DISCLAIMER: The policies and procedures outlined in this guidance are intended to supplement existing requirements. Nothing in the policies or procedures shall affect regulatory requirements.

The policies and procedures herein are not an adjudication or a regulation. There is no intent on the part of DEP to give the rules in these policies that weight or deference. This document establishes the framework within which DEP will exercise its administrative discretion in the future. DEP reserves the discretion to deviate from this policy statement if circumstances warrant.

PAGE LENGTH: 3 pages

LOCATION: Volume 33, Tab 29

I. Application Mailing and Receipt

On or about November 1 of each year, an application package is sent to each local agency. The application package contains a letter, application forms, and instructions for filing the application.

The applicant completes two copies of the Application for Reimbursement for Enforcing the Pennsylvania Sewage Facilities Act 537 form (3800-FM-WSWM0280) available electronically on the DEP website at www.dep.state.pa.us directLINK “Wastewater” and submits them, along with the required supporting documentation, to the Department by March 1 (unless extensions are granted in accordance with the regulations).

Applications are received in the Division of Wastewater Management, date stamped, and the appropriate information logged in the Division’s Act 537 enforcement data management system.

If an application is received after March 1 without an approved extension, a denial letter is sent.

II. Application Processing

A. Non-reimbursement applications

Applications not requesting reimbursement are reviewed for completeness, approved by Division staff and the appropriate information logged in the data management system. The original application is kept in the Division’s file. One copy of the approved application along with the green copies of Application for an Onlot Sewage Disposal System Permit are forwarded to the appropriate regional office.

B. Reimbursement Applications

1. Division staff review applications and supporting documentation for completeness, eligibility and conformance with the Department’s regulations.
2. If deficiencies, questions or inconsistencies exist in the submitted application package, the applicant is contacted for further information.
3. If applicant does not respond to the request for additional information, a maximum of two more requests are sent before the costs in question are deducted and a final determination letter sent.
4. Administrative staff consult with Division or regional technical personnel for assistance on eligibility determinations of expenses that are not clearly defined in the law and regulations or for which a precedent decision has not been made, or

to discuss questionable work tasks. When necessary, the Office of Chief Counsel is consulted for advice or a legal opinion regarding costs in question.

5. Upon completion of the review of the application and supporting documents, the reviewer makes any necessary adjustments or corrections to the cost calculations, approves the application, and enters the appropriate information in the data management system. If substantive corrections are made to the claimed costs, the applicant is advised by letter.
6. The original application and supporting documents are kept in the Division's file. A copy of the application with the green copies of Application for an Onlot Sewage Disposal Permit is forwarded to the appropriate regional office.

III. Payment Processing

1. Payments are processed in groups of up to 40 applicants per payment list.
2. A payment list is generated from the data management system and submitted with a general invoice to the Comptroller's Office.
3. When checks are received from the Comptroller's Office, the check amounts are verified with the original application, and the payment information is entered on the application. After verification, checks are mailed to the applicants with a transmittal letter. The data management system is updated with the payment information, and the original application package is kept in the Division's file.