

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Bureau of Water Supply and Wastewater Management

DOCUMENT ID: 362-2206-001

TITLE: Review and Coordination of Chapter 94 Reports and Act 537 Planning

EFFECTIVE DATE: December 17, 1997
Minor changes were made throughout on June 6, 2002

AUTHORITY: Title 25, Chapters 71, Administration of Sewage Facilities Planning Program and Chapter 94, Municipal Wasteload Management, Pennsylvania Sewage Facilities Act (35 P.S. §§750.1-750.20), Clean Streams Law (35 P.S. §§691.1-691.1001).

POLICY: It is the policy of the Department to coordinate the Municipal Wasteload Management Program with the PA Sewage Facilities Act.

PURPOSE: The purpose of this document is to describe the interactions between Municipal Wasteload Management and Act 537.

APPLICABILITY: This is applicable to all Municipal Planning facilities regulated under Chapter 94.

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: 19 Pages

LOCATION: Volume 33, Tab 15

DEFINITIONS

Hydraulic Overload - The condition that occurs when:

1. The hydraulic portion of the load, as measured by the monthly average flow entering a plant, exceeds the maximum monthly average flow upon which the permit and the plant design are based during each month of a recent three month period, or
2. When the flow in any portion of the system exceeds its hydraulic carrying capacity.

Organic Overload - The condition that occurs when the monthly average organic load exceeds the organic load capacity upon which the permit and the plant designs are based.

Monthly Average Flow - The arithmetic mean of daily flow measurements taken over a calendar month.

Maximum Monthly Average Flow - The highest monthly average flow during any one calendar year.

Monthly Average Organic Load - The arithmetic mean of all samples of five-day Biochemical Oxygen Demand (BOD-5), expressed in terms of pounds per day, collected over a calendar month.

Ban - A restriction placed by DEP on additional connections to an overloaded sewer system or a sewer system tributary to an overloaded plant and such other necessary measures as DEP may require to prevent or alleviate an actual organic or hydraulic overload or an increase in an organic or hydraulic overload. (See Chapter 94, Sections 94.31 and 94.32.).

Prohibition - A restriction placed by a permittee on additional connections to an overloaded sewer system or a sewer system tributary to an overloaded plant. (See Chapter 94, Sections 94.31 and 94.32.) For other definitions that may apply to this program, please see the DEFINITIONS sections of the appropriate reference(s).

BACKGROUND

The rules and regulations of the Bureau of Water Supply and Wastewater Management require consistency between Act 537 Official Plans, plan revisions proposing sewer extensions or connections to public sewerage facilities, and Chapter 94 municipal wasteload management (MWLM) annual reports and corrective plans and schedules. Due to the importance of this program, a work group was formed in 1987 to study it and develop suggestions to make it stronger. This document replaces the existing P&P. It continues implementing the findings and recommendations of the 1987 work group, reflecting current DEP organization.

POLICY STATEMENT

The Bureau of Water Supply and Wastewater Management (“Bureau”) will ensure that:

- A. All municipal sewerage permittees submit a complete and accurate annual report as required by Section 94.12(a). This report must include information on all tributary permittees as required by Section 94.12(b).
- B. All municipal sewerage permittees plan ahead to prevent overloads to sewage treatment plants and collection systems, and take corrective actions where facilities have already reached or exceeded permitted capacity.
- C. Municipal enforcement actions requiring upgrade or expansion are consistent with comprehensive planning provisions of Act 537 and the Clean Streams Law and incorporate the planning enforcement powers of Act 537.
- D. Act 537 plan revisions are disapproved when:
 - 1. The permittee has not submitted a complete and accurate Chapter 94 annual report and/or acceptable plan and schedule;
 - 2. The permittee has submitted a complete and accurate Chapter 94 annual report and/or acceptable plan and schedule, but the information in any required Act 537 planning document is not consistent with the wasteload management information;
 - 3. The facilities are overloaded, and an acceptable plan and schedule has not been submitted; or
 - 4. The facilities have allocations committed beyond available capacity, and an acceptable plan and schedule has not been submitted.

PROCEDURE

- A. Establishment of Municipal Wasteload Management (MWLM) Reporting and Tracking Systems.

Action By Step

- 1. Division of Wastewater Management (WWM)
 - 1a. Establishes a uniform system for reporting MWLM actions, enabling the regional planning staff to follow the progress of each report review by recording applicable dates and actions.
 - 1b. Provides system to regions

2. Regional Planning Staff (RPS)
 - 2a. Enters information for each case on the system. This should include:
 - (1) Date of annual report receipt
 - (2) Date of request for additional information or clarification
 - (3) Date of overload notification (if applicable)
 - (4) Date(s) of any DEP/Municipal meetings (if applicable)
 - (5) Date of submission of Plan and Schedule (if applicable)
 - (6) Date of Plan and Schedule (if applicable)
 - (7) Additional information and comments as necessary
3. WWM
 - 3a. Establishes a tracking system of hydraulic and organic loadings for each municipal treatment plant that is nearing or exceeding its permitted capacity.
 - 3b. Provides system to regional planning staff for their use.
4. RPS
 - 4a. Enters information on the system, including:
 - (1) Name of plant.
 - (2) NPDES number.
 - (3) Date of annual report receipt.
 - (4) Date of final annual report approval.
 - (5) Deadline dates for milestones in plan and schedule.
 - (6) Plan and schedule final compliance date.
 - (7) Permitted treatment plant capacity.
 - (8) Expected flows and loadings for all approved Act 537 sewer extension and connection projects tributary to the plant.

(9) Remaining capacity (= permitted capacity - approved projects)

(10) Additional information and comments as necessary.

4b. Uses information in the system to assist in review of proposed Act 537 plan revisions, when appropriate.

4c. Uses system to generate the Region's semi-annual Wasteload Management Report for submission to Central Office.

B. Review of MWLM (Chapter 94) Reports

1. RPS

1a. Enters annual report receipt date and all subsequent actions into the tracking and recording systems described in Sec. V(A) of this document.

1b. Reviews the report for completeness within 90 days of receipt. To be complete, the report must include all applicable items listed under Chapter 94, Sec. 94.12(a).

1c. Reviews the report for accuracy by checking:

(1) Previous annual reports

(2) Monthly operation reports, including Discharge Monitoring Reports (DMRs)

(3) Routine inspection and complaint investigation reports.

(4) Permit applications for sewer extensions.

(5) Existing permits

(6) Act 537 Official Sewage Facilities Plans

(7) Correspondence file

1d. If the 94 report is complete and accurate:

(1) Sends an acceptance letter to the permittee, similar to Sample Letter #1.

(2) Approves Act 537 revisions proposing extensions or connections to the facilities, provided that all sewerage facilities are capable of

conveying and/or treating the additional hydraulic and organic loadings.

- 1e. Takes the following steps if the sewage treatment plant permittee fails to submit a complete and accurate report, or if a tributary system permittee fails to submit required information to the plant permittee:
 - (1) Notifies responsible officials of the municipality in writing that they are in violation of Section 94.12, using a letter similar to Sample Letter #2.
 - (2) Disapproves planning modules received during this time which propose extensions or connections to municipal sewers tributary to the plant within the regulatory review period specified in Act 537, using a letter similar to Sample Letter #5.
 - (3) Arranges a meeting to provide guidance to the municipality, if needed.
 - (4) Reviews permittees' written requests for time extensions for submitting reports, and:
 - (a) Grants the extension if sufficient justification is provided.
 - (b) Approves Act 537 plan revisions up until the extension deadline, provided that any and all sewerage facilities impacted are not overloaded or projected to be overloaded within 5 years.
- 1f. Initiates further action in accordance with current policies, procedures, and guidance if the permittee fails to respond to the notice of violation.

C. Existing Overloads

1. RPS
 - 1a. Determines that an overload condition exists through review of the 94 report or through evidence contained in complaint investigations, operations reports, etc.
 - 1b. Notifies the permittee of the requirements of Section 94.21 using a letter similar to Sample Letter #3.
 - 1c. Sends a copy of the notification letter to the permittees of all tributary facilities.

- 1d. Considers issuance of a news release coincident with the municipalities' receipt of the overload notification.
- 1e. Disapproves Act 537 plan revisions tributary to the overloaded facilities within the regulatory review period specified in Act 537, using a letter similar to Sample Letter #7.
- 1f. Receives and reviews the plan and schedule submitted by the municipality.
 - (1) Schedules a meeting, if necessary, to discuss the overload problem, the steps to be taken to comply with Section 94.21 and the possible alternatives available to reduce or eliminate the overload problem.
 - (2) Notifies the municipalities that failure to prohibit new connections and develop an acceptable plan will result in imposition of a Department ban on connections tributary to the overloaded facilities.
- 1g. Takes action on the plan and schedule, in accordance with Chapter 94, Sec. 94.21 and the following criteria:
 - (1) Approves plans and schedules proposing to reduce or eliminate an overload through a non-structural method (I/I reduction, pump station impeller change, treatment plant rerating, and other alternatives not requiring a DEP permit) without requiring an update of the municipality's Act 537 Plan.
 - (2) Approves those proposing structural changes when submitted as 537 updates consistent with the requirements of Chapter 71, Section 71.21. These should be adopted by all affected municipalities unless needed to abate existing pollution or health hazards, as provided for in Chapter 91, Section 91.63.
- 1h. After a Plan and Schedule has been approved:
 - (1) Approves Act 537 revisions consistent with the plan and schedule.
 - (2) Disapproves projects inconsistent with the plan and schedule within the regulatory review period specified in Act 537, (see Sample Letter #6).
 - (3) Accepts Act 537 plan revisions proposing interim sewage disposal methods for review.

- (a) Determines that the interim alternative proposed is environmentally acceptable and meets all applicable regulations prior to approval of the planning modules. Such interim alternatives may include:
 - i. Capped sewers (however, please note that projects proposing use of collection sewers and manholes as holding facilities for pump haul purposes are NOT acceptable);
 - ii. Interim on lot systems;
 - iii. Interim treatment facilities;
 - iv. Interim holding tanks;
 - v. Off peak discharge (if the overload is strictly a wet weather hydraulic problem).
 - (b) Includes projects proposing use of interim facilities in a Consent Order and Agreement (CO&A) which imposes contingent penalties for violations of the Plan and Schedule for facility replacement contained in the CO&A and/or planning module components.
- 1i. Logs all approved projects on the tracking system described in Section A.4.
 - 1j. If the plan and schedule is disapproved:
 - (1) Sends a letter to all involved permittees advising them of the disapproval.
 - (2) Disapproves all plan revisions tributary to the overloaded facilities within the regulatory review period specified in Act 537, using a letter similar to Sample Letter #7.
 - 1k. If the municipalities fail to make progress toward development and submission of an acceptable plan and schedule:
 - (1) Takes appropriate enforcement action in accordance with current policies, procedures, and guidances.
 - (2) Imposes a ban in accordance with Sections 94.31 and 94.33. Guidance on imposing connection bans is discussed in Section E.

D. Projected Overloads (Overload within the next 5 years)

1. RPS

- 1a. Determines that a projected overload condition exists. Possible indicators of projected overload include:
 - (1) Projected flows and loadings, based on historical trends or population/growth projections.
 - (2) Increased use of standby pumps in pump stations.
 - (3) Increased frequency and number of overflows in combined sewers.
- 1b. Notifies the permittee of the affected sewerage facilities of the requirements of Section 94.22, using a letter similar to Sample Letter #4.
- 1c. Sends a copy of the notification letter to the permittees of all tributary sewerage facilities.
- 1d. Disapproves Act 537 plan revisions tributary to the affected facilities within the regulatory review period specified in Act 537, using a letter similar to Sample Letter #7.
- 1e. Schedules a meeting, if needed, with the involved municipalities to discuss the projected overload, the steps needed to comply with Section 94.22, and the alternatives available to prevent the overload from occurring.
- 1f. Reviews and approves or disapproves the plan and schedule submitted in accordance with Section 94.22 and the criteria outlined in "Existing Overloads," Sec. C.(1g) of this document.
- 1g. Reviews Official Plan revisions in accordance with the procedure outlined in Sec. C(1h) of this document after a plan and schedule has been approved.
- 1h. Logs all approved projects on the tracking system described in Section A.4. of this document.
- 1i. Sends a letter to nonrespondent permittees stating that DEP cannot approve Act 537 plan revisions until an acceptable plan and schedule to prevent the overload is submitted.
- 1j. Takes further action in accordance with current policies, procedures, and guidances if the permittee still fails to respond.

E. Imposition of a DEP Ban

1. RPS

- 1a. Acts in accordance with Chapter 94, Sections 94.31 and 94.32 and the procedural steps outlined below.
- 1b. Prepares a draft order and writes a ban imposition request, including justification for imposition of the ban.
- 1c. Forwards the information to the Chief, Division of Wastewater Management.
- 1d. Forwards a briefing item thru the Regional Director to the Deputy Secretary for Environmental Protection, 10 working days prior to the expected issuance date of the order.

2. RPS

- 2a. Issues the ban order in accordance with Section 94.33. The publication requirements of Section 94.33 must be fulfilled.

F. Requests for Exceptions to DEP Bans

1. Permittee

- 1a. Submits request for exception to ban.

2. RPS

- 2a. Reviews written request for ban exception in accordance with Chapter 94, Section 94.55 thru 94.57.
- 2b. Requests technical assistance from Division of Wastewater Management, when necessary, to ensure statewide consistency.
- 2c. Sends a letter signed by the Regional Water Quality Manager approving or denying the requested connection. Denial letters must include the standard appeal paragraph. G. Requests for Modification of DEP Bans.

G. Permittee

- 1a. Requests a ban modification to allow limited approval for connections.
- 1b. Demonstrates that overloads have been substantially reduced and that a limited number of connections will not cause additional pollution.

- 1c. Provides assurance that they will follow a plan and schedule which will result in elimination of the overload and that any connections allowed will be prioritized according to Section 94.42(b).
 - 2. RPS
 - 2a. Receives permittee request.
 - 2b. Reviews and responds to permittee's request for ban modification.
- H. Requests for Modification of DEP Bans
- 1. Permittee
 - 1a. Requests removal of the ban.
 - 1b. Presents actual loading data proving that the plant is no longer hydraulically or organically overloaded.
 - 1c. Proves that bypassing, backups, etc. have been eliminated in the case of an overloaded system.
 - 2. RPS
 - 2a. Receives permittee request.
 - 2b. Determine if the sewerage facilities are in a projected overload status. If so, requires permittee to develop a plan to limit new connections to the sewerage facilities based on the remaining available capacity, in accordance with Section 94.22.
 - 3. Permittee
 - 3a. Supplies additional required information, if any.
 - 4. RPS
 - 4a. Reviews and acts on permittee's request.

REFERENCE DOCUMENTS

- A. Regulations
 - 1. Title 25 Pennsylvania Code Chapter 94

2. Title 25 Pennsylvania Code Chapter 71
- B. Acts
1. Pennsylvania Sewage Facilities Act (Act 537) (35 P.S. §750.1, *et seq.*)
 2. The Clean Streams Law (35 P.S. §691.1 *et seq.*)

HISTORICAL LIST OF SUPERSEDED POLICIES AND PROCEDURES (P&PS)

- A. Municipal Wasteload Management (5 200 16 - 9/81)
- B. Coordination of the Chapter 94 Municipal Wasteload Management Program and Act 537 Planning (3 300 9 - 4/81)
- C. Coordinating Act 537 Planning Enforcement with Municipal Wastewater Enforcement Strategy (5 201 5 - 3/88)
- D. Policy and Procedure for Review and Coordination of Chapter 94 Reports and Act 537 Planning (5 201 12-2/91) (362-2206001-2/1/91)

SAMPLE LETTER #1

Regional Office Return Address
(Date)

Telephone Number

Name of Permittee
Address

Re: Annual Municipal Wasteload
Management Report

Gentlemen:

The regional office has received and reviewed your annual Municipal Wasteload Management Report, submitted in accordance with Section 94.12 of the Chapter 94 Municipal Wasteload Management Regulations. The report appears to be complete and accurate. Thank you for your cooperation. We look forward to working with your facility in years to come.

Sincerely,

(Title of Regional Office Contact)

cc: Tributary Facility Permittee(s)

SAMPLE LETTER #2

Regional Office Return Address
(Date)

Telephone Number

TO: Permittee of Municipal Sewage Treatment Plant
Address

Gentlemen:

Under Section 94.12 of Chapter 94, sewage treatment plant permittees are required to submit annual Municipal Wasteload Management ("Chapter 94") Reports to the Department of Environmental Protection (DEP) no later than March 31 of each year. To be considered complete, these reports must include information on the treatment plant permittee and all tributary system permittees.

Please be advised that your facility is currently in violation of Section 94.12 because (to date, we have not received an annual report from your plant) OR (the information in the report you submitted has been found to be incomplete for the following reasons: (LIST). Please submit your (annual report, revised annual report) by _____, 20___. Be advised that DEP cannot approve Act 537 plan revisions for projects tributary to your plant and/or any contributing conveyance systems unless a complete and accurate Chapter 94 report is submitted.

If you have any questions regarding this matter, please contact Mr./Ms.
_____ at (Telephone Number).

Sincerely,

Regional Water Quality Manager

cc: Tributary Facility Permittee(s)

SAMPLE LETTER #3

Regional Office Return Address
(Date)

Telephone Number

Name of Permittee
Address

Re: (Name of overloaded sewerage facilities)

Gentlemen:

We have completed review of the (name of treatment plant permittee) (year of report) Wasteload Management Annual Report submitted pursuant to Chapter 94 of the Department of Environmental Protection's (DEP) Rules and Regulations. The report indicates your (plant or sewer systems) is (hydraulically and/or organically) overloaded. It will be necessary for the (name of the municipality or authority), as permittee, to comply with Section 94.21 of Chapter 94, which requires that the (name of the permittee):

1. Submit to the (name of Regional Office) Regional Office within 90 days of receipt of this letter, a written plan setting forth the actions to be taken to reduce the overload and provide the needed capacity to achieve compliance. The plan must also include a program for a limitation on and control of new connections to the overloaded sewerage facilities and a schedule showing the dates each step toward compliance will be completed.
2. Restrict new connections to the sewer system tributary to the overloaded sewerage facilities to those connections fitting the exceptions described in Sections 94.55, 94.56 and 94.57 of Chapter 94 until the requested plan and schedule is approved by DEP. A copy of Chapter 94 is enclosed for your use.

We would like to meet with you to discuss the adequacy and implementation of the plan and schedule you develop. When you have developed a plan and schedule, please contact me and arrange a meeting. Please feel free to contact me if you have any problems or questions during the development of your wasteload management plan and schedule.

Sincerely,

(Title of Regional Office Contact)

Enclosure

cc: (Permittees of all tributary sewerage facilities)
(routine filing)

SAMPLE LETTER #4

Regional Office Return Address
(Date)

Telephone Number

Name of Permittee
Address

Re: (Name of sewerage facilities projected to become overloaded)

Gentlemen:

We have completed review of the (name of treatment plant permittee) (year of report) Wasteload Management Annual Report submitted pursuant to Chapter 94 of the Department of Environmental Protection's (DEP) Rules and Regulations. The report indicates your (plant or sewer systems) is projected to become (hydraulically and/or organically) overloaded. It will be necessary for the (name of the municipality or authority), as permittee, to comply with Section 94.22 of Chapter 94, which requires that the (name of the permittee):

1. Submit to the (name of Regional Office) Regional Office within 90 days of receipt of this letter, a written plan setting forth the steps to be taken to prevent the (name of the sewerage facilities projected to become overloaded) from becoming overloaded.
2. Limit new connections to the sewer system tributary to the (name of sewerage facilities projected to become overloaded) based upon the remaining available capacity and the written plan submitted in accordance with Section 94.22 of Chapter 94 and Item 1 above.

A copy of Chapter 94 is enclosed for your use. Please feel free to contact me if you have any questions relating to this letter or to the development of your wasteload management plan.

Sincerely,

(Title of Regional Office Contact)

Enclosure

cc: (Permittees of all tributary sewerage facilities)
(routine filing)

SAMPLE LETTER #5

Regional Office Return Address
(Date)

Telephone Number

Name of Municipality
Address

Re: Name of Development
Number of lots or gallonage
Municipality, County
DEP Code #

Gentlemen:

We have received and reviewed the "Planning Module for Land Development" submitted as a revision to the _____ Official Sewage Plan for the above referenced proposal, as required by the Pennsylvania Sewage Facilities Act. The revision is disapproved because the current annual Wasteload Management Report required by Section 94.12 of the Department of Environmental Protection's (DEP) Chapter 94, Municipal Wasteload Management Rules and Regulations, has not been submitted DEP. Section 94.14 of Chapter 94 and Section 71.32(d)(6) of Chapter 71 state that no Official Plan or revision will be approved by DEP that is inconsistent with the requirements of Chapter 94. When an acceptable Wasteload Management Report is received and approved by this office, the "Planning Module for Land Development" may be resubmitted for review.

The action of DEP may be appealable to the Environmental Hearing Board, 101 South Second Street, Suites 3-5, Harrisburg, PA 17011 (717-3483) by any aggrieved person pursuant to Section 1921-A of the Administrative Code of 1929, 71 P.S. Section 510.21; and the Administrative Agency Law, 2 Pa. C.S., Chapter 5A. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and regulations governing practice and procedure before the Board may be obtained from the Board. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

If you have any questions regarding this notice, please contact this office at the above address or telephone number.

Sincerely,

Regional Water Quality Manager

SAMPLE LETTER #6

Regional Office Return Address
(Date)

Telephone Number

Name of Municipality
Address

Re: Name of Development
Number of lots or gallonage
Municipality, County
DEP Code #

Gentlemen:

We have received and reviewed the "Planning Module for Land Development" submitted as a revision to the _____ Official Sewage Plan for the above referenced proposal, as required by the Pennsylvania Sewage Facilities Act. The revision is disapproved because the sewerage facilities intended for use are overloaded (projected to become overloaded within the next five years) and this plan revision request is not consistent with the Wasteload Management Report Corrective Plan and Schedule or current Annual Report submitted in accordance DEP's Chapter 94, Municipal Wasteload Management Rules and Regulations.

Section 94.14 of Chapter 94 and Section 71.32(d)(6) of Chapter 71 state that no Official Plan or revision will be approved by DEP that is inconsistent with the requirements of Chapter 94. If, in the future, you feel the proposed plan revision request is consistent with the Wasteload Management Corrective Plan and Schedule and current Annual Report, the "Planning Module for Land Development" may be resubmitted for review.

This action of DEP may be appealable to the Environmental Hearing Board, 101 South Second Street, Suites 3-5, Harrisburg, PA 17011 (717-3483) by any aggrieved person pursuant to Section 1921-A of the Administrative Code of 1929, 71 P.S. Section 510.21; and the Administrative Agency Law, 2 Pa. C.S., Chapter 5A. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and regulations governing practice and procedure before the Board may be obtained from the Board. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

If you have any questions regarding this notice, please contact this office at the above address or telephone number.

Sincerely,

Regional Water Quality Manager

SAMPLE LETTER #7

Regional Office Return Address
(Date)

Telephone Number

Name of Municipality
Address

Re: Name of Development
Number of lots or gallonage
Municipality, County
DEP Code #

Gentlemen:

We have received and reviewed the "Planning Module for Land Development" submitted as a revision to the _____ Official Sewage Plan for the above referenced proposal, as required by the Pennsylvania Sewage Facilities Act. The revision is disapproved because the sewerage facilities intended for use are overloaded (projected to become overloaded within the next five years) and the Wasteload Management Corrective Plan and Schedule as required by DEP's Chapter 94, Municipal Wasteload Management Rules and Regulations, has not been submitted. Section 94.14 of Chapter 94 and Section 71.32(d)(6) of Chapter 71 state that no Official Plan or revision will be approved by DEP that is inconsistent with the requirements of Chapter 94. When an acceptable Chapter 94 Wasteload Management Corrective Plan and Schedule is submitted to DEP and the proposed plan revision request is consistent with this Plan and Schedule, the "Planning Module for Land Development" may be resubmitted for review.

This action of DEP may be appealable to the Environmental Hearing Board, 101 South Second Street, Suites 3-5, Harrisburg, PA 17011 (717-3483) by any aggrieved person pursuant to Section 1921-A of the Administrative Code of 1929, 71 P.S. Section 510.21; and the Administrative Agency Law, 2 Pa. C.S., Chapter 5A. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and regulations governing practice and procedure before the Board may be obtained from the Board. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

If you have any questions regarding this notice, please contact this office at the above address or telephone number.

Sincerely,

Regional Water Quality Manager