



Pennsylvania Department of Environmental Protection

2 East Main Street
Norristown, PA 19401
October 10, 2007

Southeast Regional Office

Phone: 484-250-5970
Fax: 484-250-5971

Ms. Marianne Jann
49 Driscoll Drive
Ivyland, PA 18974

Re: Northampton Township Act 537 Plan
Western End Sewer Service Area
Northampton Township
Bucks County

Dear Ms. Jann:

In response to your letter to Governor Edward G. Rendell regarding the pending installation of public sewers in Northampton Township (Township), please be advised that the Township's current **Act 537 Official Sewage Facilities Plan, which was adopted by the Township Supervisors and approved by the Department of Environmental Protection (DEP) in July 1997, required public sewers to be installed in most of the Western End Sewer Service Area within five (5) years (2002), with some areas scheduled for sewers within ten (10) years (2007).** Prior to adopting the plan and submitting it to DEP, your supervisors determined that public sewers were necessary to address the extensive malfunctions in the western end of the Township.

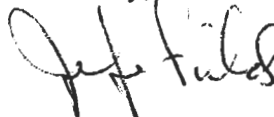
Pennsylvania's Sewage Facilities Act, Act 537, requires all municipalities in the state to develop and implement official sewage facilities plans to provide for existing sewage disposal problems, provide for the future sewage disposal needs of new land development, and provide for the future sewage disposal needs of the municipality (Pa. Code, Chapter 71, Section 71.11.) Consistent with the law and this regulation, **the Township prepared a Township-wide plan in 1996, including a plan to resolve health issues involving malfunctioning on-lot systems in the western end.** The plan went through the public notification process in your local newspaper in 1996, prior to adoption by your supervisors. All Township residents had the opportunity to review the plan. However, the Township, not DEP, selected the public sewer alternative and DEP approved the plan in 1997.

The Township has been delinquent in the implementation of their official plan and DEP is working with the Township and the Northampton Bucks County Municipal Authority (Authority) to assure that the needed sewers are constructed. You are correct that DEP is "... making the Township implement the plan." In fact, if the Township does not proceed with timely construction of the sewers, DEP is required by Act 537, Section 10(3) to order the Township to implement the plan.

Regarding the costs of implementation and how they are allocated to property owners, we suggest you continue to work with the Authority to assure that costs are fairly allocated. The Authority may wish to issue bonds to cover a portion of the construction costs which would then be paid off as future development occurs. We agree that \$50,000 per dwelling appears to be a high assessment that would be a burden to many property owners. However, we have not received any official calculations confirming this assessment from the Township. And since the Township's Official Plan has already been adopted by the Township and approved by DEP, DEP has no more official involvement in how the costs are allocated. However, we will continue to urge the Authority to allocate costs fairly among existing property owners and anticipated future development. It appears unlikely that the Authority will allow future connections at no cost.

Although a date has not yet been scheduled, we have also been requested to attend a public meeting at the Township to discuss these issues and we would encourage you to attend this meeting if possible.

Sincerely,



Jenifer Fields, P.E.
Regional Manager
Water Management

cc: Northampton Township
The Honorable Robert M. Tomlinson
Mr. Gelburd
Mr. Cleaver
Ms. Rittenhouse
Planning Section