



Pennsylvania Department of Environmental Protection

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Wilkes-Barre, PA 18711-0790
December 23, 2005

Jan

Northeast Regional Office

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Lynn Township
c/o Ms. Dawn A. Straughn, Secretary
6949 Lochland Road
New Tripoli, PA 18066

Re: Act 537 Sewage Plan
Lynn Township, Lehigh County

Dear Supervisors:

The Department has completed reviewing your Act 537 Sewage Facilities Plan Update (Plan), dated October 2005, received by the Department on October 13, 2005. Our review comments regarding the Plan are as follows:

1. An original, signed and sealed Resolution of Adoption must be provided with the Plan.
2. The newspaper notice provided with the Plan is deficient. At a minimum, the notice must contain the following: the name of the project; a summary description of the nature, scope and location of the planning area and the Plan's major recommendations; a list of the sewage facilities alternatives considered; establishment of a 30-day comment period; where and when the Plan can be reviewed, preferably a municipal office or other local site; and the address where comments should be submitted. Also, if it is anticipated that financing will be sought for the project from Pennvest or the Rural Utilities Service, estimated user fees must be included in the notice.
3. The Plan needs to establish a financial alternative of choice and a contingency financial plan to be used if the preferred method of financing is unable to be implemented. Statements indicating that financing would be a combination of private contributions from developers and a Pennvest loan, and that the final funding analysis will be done prior to finalization of the treatment plant upgrade, are not sufficient to address this requirement. Also, please note that the Pennvest wastewater financial assistance program gives priority to projects with demonstrable public health and safety and/or environmental needs. Under the Pennvest rating system, projects to provide treatment capacity for the type of new land development contemplated in the Plan would receive low priority. Also, treatment facilities should be sized to accommodate the average daily flow from the existing service area plus an allowance for reasonable growth. Reasonable growth is usually defined as the expected population increase of the service area during the next 20 years based upon historic municipal or county growth rates, using projections established by planning agencies, the latest census data, or other credible sources.
4. The Plan contains conflicting information with regard to the capacity of the proposed treatment plant. For example, a capacity of 160,000 gallons per day (GPD) is indicated on page 21 of the Plan, but pages 3 and 27 of the Plan and the Feasibility Study in Exhibit F indicate a capacity of 250,000 GPD. Also, pages 20 and 21 of the Plan and page 1-1 of the Feasibility Study contain conflicting information with regard to the projected number of future EDUs. Please review and clarify this information.



5. The potential for future growth in the treatment plant service, as covered on pages 18-20 of the Plan, fails to account for any acreage that would be used for roads or other areas that may not be developable due to wetlands, steep slopes, etc. For example, the 280 acres in the LDRR District would not yield 375 potential lots if the above factors were taken into consideration. Also, please provide further details showing how the 25 potential EDUs in the Agriculture District and the 80 potential EDUs in the IC District are derived.
6. In the comments section of the Plan, there is a statement indicating that the response to the Lehigh Valley Planning Commission review letter dated January 28, 2005 is provided in Section IV, Future Growth and Development, and that Section IV was revised to address the concerns of the Planning Commission. In reviewing Section IV, we came across some discrepancies that leave it unclear as to how the Planning Commission comments have been addressed. For example, the narrative references Map 10, but a Map 10 was not included in the copies of the Plan submitted to the Department. Also, the narrative states that Map 7 shows the future land use area defined by the 2004 Comprehensive Plan. Map 7 shows the existing treatment plant service area and the proposed expanded service area, but there's nothing to definitively show that this conforms to the service area in the Comprehensive Plan. Please address these comments and provide a copy of these revisions to the Planning Commission for review and comment.
7. Some of the inspection reports contained in Exhibit C of the Plan indicate there were instances in 1998 and 1999 when bypassing was necessary to prevent solids washout during high flows. Have there been any instances where bypassing has been necessary since then? Is infiltration/inflow excessive during wet weather? If not, please provide some details as to how this was determined. If I/I is excessive, the Plan should contain details as to how the problem will be addressed.
8. There are statements on page 3 of the Plan indicating that the treatment plan has exceeded its useful life and is in need of a complete upgrade. There are also statements indicating that the facility has been well maintained and has gone through some upgrading during its lifetime. During the preparation of the Plan, was each unit process and operation at the facility evaluated? Was consideration given to the possible alternative of rehabilitating the existing treatment facility and adding a new treatment train with sufficient capacity to serve future development?
9. On page 14, the Plan states that the treatment plant experiences operating difficulties when the daily average flow goes above 60,000 gallons per day. Please elaborate on these difficulties. The Plan also mentions possible operating problems due to flows from a school. Should flow equalization be considered?
10. The Plan should contain soils analysis with a description by soils type and soils mapping, showing areas suitable for soil dependent sewage systems and areas unsuitable for soil dependent systems. The mapping should also show Prime Agricultural Soils and any locally protected agricultural soils.
11. The Plan should identify wetlands through description, analysis and National Wetland Inventory mapping, and potential wetland areas per USDA Soil Conservation Service mapped hydric soils.
12. The Plan should contain mapping identifying flood plains.
13. Protection of rare, endangered or threatened plant and animal species must be addressed in the preparation of the Plan. Enclosed for your use is a copy of the Department's Policy for Pennsylvania Natural Diversity Coordination (PNDI), dated July 16, 2005. Also, please clarify what is meant by the statement on page 28 of the Plan that, "...no construction is planned as part of this update."

14. Historic and archaeological resource protection must be addressed in the preparation of the Plan by providing the Pennsylvania Historic and Museum Commission (PHMC) the opportunity to review the proposed project.
15. The Delaware River Basin Commission should be notified of the proposed project and provided the opportunity to comment during the planning phase.
16. Please clarify whether or not the Township intends to establish a Sewage Management Program. The narrative under Section F on page 24 of the plan appears to indicate that the Township intends to establish a Sewage Management Program and there is a draft ordinance in the Plan. However, under item 5 on page 24, there are the following statements, "The Township's current staff could not undertake the enforcement of a sewage management program by ordinance. It is not practical for a rural Township the size of Lynn Township to enforce a Township wide plan." Also, under the Plan Summary on pages 1-5 of the Plan, there is no mention of a Sewage Management Program. If the Township does intend to establish a Sewage Management Program, the Plan will need to include additional details addressing the requirements contained under Section 71.73 of the Department's sewage planning regulations.
17. Pages 2 and 13 of the Plan indicate that the organic capacity of the treatment plant is 144 pounds of BOD per day, and on page 15 a figure of 180 pounds per day is mentioned. However, the copy of Water Quality Management Permit No 3904402 in the exhibits indicates the organic capacity to be 162 pounds of BOD per day. Please clarify.
18. The Feasibility Study should include the estimated operation & maintenance cost for each alternative and a present worth cost effectiveness analysis.
19. The narrative on page 6-1 of the Feasibility Study needs to be proofread and revised.
20. The information contained in the Feasibility Study pertaining to Pennvest is outdated and should be revised.
21. The information contained in Exhibit G in the copies of the Plan we received is disorganized and needs to be collated.

Please provide your reply to the above comments by February 1, 2006. If there any questions, feel free to contact me a 570-836-2333.

Sincerely,



Michael J. Brunamonti, P.E.
Chief, Planning Section
Water Management Program

Enclosure

cc: Mr. Roy J. Stewart/Keystone Consulting Engineers (w/enclosure)
Mr. Michael Gallagher/PENNVEST
Ms. Susan Rockwell/Lehigh Valley Planning Commission
ARRO Consulting