

CHAPTER 7: THE REGIONAL ACT 537 PLAN

In 1966, the Pennsylvania state legislature passed the Pennsylvania Sewage Facilities Act (Act 537) in order to help correct existing sewer disposal issues, as well as prevent new problems. The act requires that sewage disposal for all situations is planned for and that local municipalities are largely responsible for administering the plan. Municipalities are required to develop and implement comprehensive official plans that provide for the resolution of existing sewage disposal problems, provide for the future sewage disposal needs of new land development, and provide for future sewage disposal needs of the municipality. This official plan is referred to as the "Act 537 plan." When a new land development project is proposed, municipalities are required to revise their official plan (unless the project is exempt from planning).

In the Centre Region, this planning requirement, much like the comprehensive plan, is met through the creation of a regional plan that applies to all six of the Centre Region municipalities. This cooperative approach to sewage facilities planning began in 1990 when the first Regional Act 537 plan was adopted. The plan was subsequently updated in 2006.

The Centre Region Act 537 Plan identifies the locations within the Centre Region where public sewer service will be provided by the University Area Joint Authority as well as acceptable methods for wastewater disposal outside of the public Sewer Service Area, infrastructure limitations and future improvements, beneficial re-use water treatment and distribution, and sewage management programs.

Public Sewer Service

One of the primary components of the Act 537 plan is the establishment of a Sewer Service Area (SSA), which delineates where public sewer service is or will be provided in the Centre Region in the future. Planning for where public sewer will be provided is closely coordinated with land use planning efforts. In the Centre Region, the Sewer Service Area (SSA) is coterminous with the Regional Growth Boundary (RGB), ensuring that public sewer service is reserved for lands where growth is anticipated and directed. Areas located outside of the SSA are not eligible for sewer service, unless they were connected to the system prior to the enactment of the SSA or it is deemed that their connection to the system is vital for health or safety reasons.



The University Area Joint Authority (UAJA) provides public sewer service inside of the Act 537's Sewer Service Area. Wastewater treatment for properties outside of the sewer service area must be provided through an on-lot septic system.

How does the Sewer Service Area (SSA) Affect Developments Located Outside of the Regional Growth Boundary (RGB)?

The boundaries of the Regional Growth Boundary (RGB) and Sewer Service Area (SSA) are generally the same in order to help ensure coordination between sewage facility and land use planning efforts. If an area is located outside of the RGB, the intent is for that land not to be developed or to be developed into low density uses, whereas land inside the RGB should be developed into higher density uses that are not rural in character. In order to develop outside of the RGB, sewage disposal must take place on the property or through an individual or community on-lot disposal system, since sewer service is not available. The lack of ability to obtain sewer service outside of the RGB and SSA acts as a deterrent to higher density development outside of the RGB. In this manner, restricting the SSA to the same areas covered by the RGB allows the objectives and purposes of the RGB to be more easily obtained.

On-Lot Wastewater Treatment

For properties located outside of the SSA, wastewater treatment must be provided on-site. This is commonly done with on-lot wastewater treatment systems that are identified by the municipal Sewage Enforcement Officer (SEO). Whenever a subdivision or land development is proposed outside of the RGB and SSA, a Pennsylvania Department of Environmental Protection Planning Module will be prepared by the applicant. A planning module, once approved, constitutes an amendment to the Regional Act 537 plan since it identifies how wastewater will be treated for the proposed land development. Depending upon how each municipality reviews planning modules, Planning Commissions may be asked to review and provide approval for certain components related to the application. Even if the Commission is not part of the official module approval process, methods for wastewater treatment is commonly identified on land development proposals.

Expanding the Regional Growth Boundary (RGB) and Sewer Service Area (SSA)

Between 1990 and 2006, the Centre Region municipalities would review the boundaries of the Sewer Service Area (SSA) every five years. During the evaluation period, property owners could submit requests that their property be brought within the boundaries of the SSA. Expanding the sewer service area and providing public wastewater treatment to a property would typically allow for the property to be developed at a greater density than could be achieved through on-lot methods.

The 2000 Centre Region Comprehensive Plan was the first document that created a defined growth boundary where the majority of future development would be directed. While previous Comprehensive Plans identified primary growth areas, these areas were loosely defined.

The ability to treat and discharge wastewater in the Centre Region has limitations. Located at the headwaters of several high quality cold water fisheries, the Centre Region has limitations on the amount of wastewater that can be discharged into public waterways. Alternative methods of treatment have been utilized to expand wastewater treatment capacities, but these methods are costly and must be used efficiently.

The planning of public services and land uses are closely linked. While some have asserted that the Region uses public sewer to control growth, public sewer service is reserved for areas where growth is planned for. Expanding public sewer to lands where higher density development is not permitted results in an inefficient use of a limited public resource. During the 2006 update to the Centre Region Act 537 Sewage Facilities Plan, the Sewer Service Area was aligned to approximate the Regional Growth Boundary to emphasize and improve coordination between land use and public sewer facilities planning.

In 2007, the Centre Region municipalities also entered into an implementation agreement that defines how the RGB and SSA can be expanded. This implementation agreement was modified and adopted again in 2013. The agreement outlines the process to expand the boundary, which is typically done through a Development of Regional Impact (DRI) application. Since the RGB/SSA Implementation Agreement was adopted, a total of four DRI requests have been submitted. An expansion of the RGB and SSA requires at least five of the six municipalities to agree to the expansion.

Municipal Planning Commissions and the Act 537 Plan

While municipal planning commissioners do not need to have an in-depth knowledge of the contents of the Regional Act 537 Plan, understanding its relationship to land use planning is essential. Planning commissions are also involved in actions related to the plan, such as periodic updates, amendments, and DRI requests. Municipal planning commission are typically provided with the opportunity to review such requests and provide recommendations to their municipal governing bodies.

