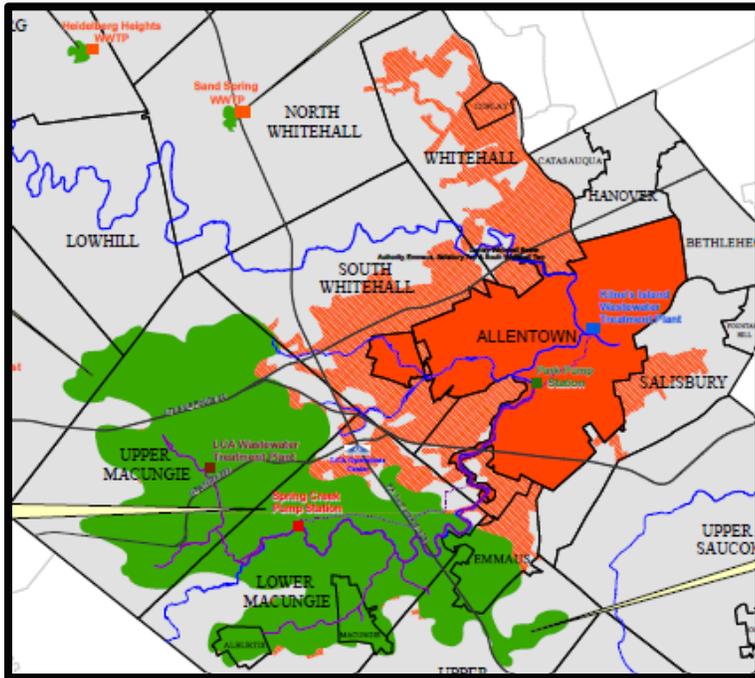


ACT 537 (The Pennsylvania Sewage Facilities Act)

Regional Response Update



In 2019 the KIWWTP sewer system began an ACT 537 Plan due to the triggering the 25 Pa. Code Chapter 94 Municipal Wasteload Management (Chapter 94) regulations for exceeding the permitted capacity of 40 MGD for 3 consecutive months. The exceedance was due to record rain that occurred in a 12-month period which began in August 2018 and continued through July 2019. That 12-month period was the highest recorded rainfall amount in the Lehigh Valley, which dated back to

1895. During that period of August 2018 through July 2019, the region received 80 inches of precipitation whereas normal precipitation for the Lehigh Valley area is about 45 inches per year. The rainfall caused ground water to reach unprecedented levels (16 ft above normal levels) which exacerbated the increased plant flows.

As would be expected, the precipitation and rising ground water levels caused a significant increase of flows to KIWWTP which triggered the exceedance of its permitted hydraulic capacity of 40 MGD for three consecutive months. KIWWTP annual average daily flow for 2019 was 37.64 MGD whereas in the prior five years preceding the August 2018 through July 2019 rainfall events, KIWWTP annual average flows ranged between 29 and 33 MGD. It is important to note that, for the three consecutive months the flows to the KIWWTP exceeded 40 MGD the KIWWTP had continuously met all permit requirements. Nonetheless, KIWWTP was considered to be hydraulically overloaded and required the PaDEP to respond relative to Chapter 94 requirements. The Respondents with PaDEP developed a plan to address the impacts of growth and development during the years from 2020 to 2025. The projected additional sewage flow due to new construction is projected to be approximately 4.4 million gallons per day. An Act 537 Plan, as required by the Pennsylvania Sewage Facilities Act, and regulations thereunder (25 PA Code § 71), was reviewed by municipal planning agencies, posted for public notice, and adopted by municipal action. The Plan was submitted to the PaDEP on September 9, 2020.