The primary state legislation for the protection of water quality is the Pennsylvania Clean Streams Law. To execute this law, the Pennsylvania Department of Environmental Protection (DEP) has been granted the power to write, adopt and enforce regulations. The Pennsylvania Sewage Facilities Act of 1966 (as amended), more commonly called “Act 537,” is the primary law controlling individual and community sewage disposal systems. Act 537 requires municipalities to submit official sewage facilities plans to the DEP for approval. These plans show the current and future needs of the municipality and assess wastewater facility choices to meet these needs. They are reviewed by appropriate planning agencies, including a county planning agency, to determine consistency with land use goals and policies.

The Lehigh Valley Planning Commission has maintained a long range plan for sewage disposal in Lehigh and Northampton counties since 1967. The latest version of this plan was prepared in 1995. It contains the detailed sewage disposal policies that are the basis of LVPC project reviews. The plan identifies existing sewage disposal systems as well as sewage disposal concerns for the region. The systems are divided into two categories based on the type of service area involved as follows:

- **Public sewer systems** — publicly-owned systems which serve a generalized service area and designed independently of specific land developments or subdivisions.
- **Central sewer systems** — publicly or privately-owned systems designed primarily to serve a single subdivision, land development or rural public use involving two or more lots or domestic sewage disposal in excess of one equivalent dwelling unit (EDU) per lot.

There are currently 17 public and 25 central sewage treatment facilities in the two-county region (see Map 22). The location of major public sewer facilities is a key factor in the management of growth in the Lehigh Valley. Approximately 84% of all approved building lots during the 1994 to 2003 period were served by public sewers. Many municipalities within the two counties need to examine their sewage treatment needs, particularly the need for future allocation of public sewage treatment plant capacity. Addressing these needs requires a revised Act 537 Sewage Facilities Plan. Based on 2000 information, 40 of the 62 municipal Act 537 plans in the region are at least 10 years old. Act 537 requires municipalities to review and revise their official plans whenever the municipality or DEP determines that the plan is inadequate to meet existing or future sewage disposal needs of the municipality.

Under Act 537, municipalities are responsible for assuring that safe and reliable sewage disposal is provided within municipal boundaries. Lack of adequate planning by municipalities for sewer needs is a major concern especially in rural townships. Solutions to sewage disposal problems in rural areas can be very expensive and can promote additional urban development. Municipalities often develop sewage plans independently from comprehensive plans and zoning ordinances. The lack of coordination among these plans can result in costly public improvements to solve problems. Building new sewage collection and treatment facilities involves substantial planning, engineering and construction costs. Most federal funding was eliminated by the Water Quality Act of 1987. The primary funding mechanism available is PennVEST which provides low interest loans for financing needed sewer and water projects. Even with PennVEST, sewage projects are currently funded predominantly with local funds.

Urban development in rural areas served by central sewage systems is a concern. Many of these systems have been created simply to accommodate higher density development in areas not served by public sewage systems. Once the system is in place, some system owners do not invest sufficient funds to maintain and operate the system properly. Municipalities are responsible if the systems fail to operate properly or become overloaded.

Another concern is the lack of preventive measures to ensure that development using on-lot sewage disposal will not become a future prob-
lem. Municipalities can require a fully tested on-lot replacement area for new development proposed for on-lot sewage disposal. This will provide a low-cost, on-lot alternative should the primary system fail. According to 2000 information, 14 municipalities within the two counties require a fully tested, undisturbed replacement area.

**GOAL**

*To provide environmentally sound sewage disposal for all persons.*

**POLICIES**

- Tested primary and replacement absorption areas should be provided for each lot proposed for on-site sewage disposal.
- Adequate up-to-date Municipal Official Sewage Plans should be maintained consistent with Act 537 — the Pennsylvania Sewage Facilities Act of 1966.
- Areas with malfunctioning on-lot sewage disposal systems or malfunctioning central systems should be provided with the most cost-effective solution to the problems based upon an evaluation of appropriate alternatives.

**IMPLEMENTATION**

- Municipalities should adopt ordinance provisions allowing for municipal inspection and enforcement of on-site system maintenance requirements.
- DEP and municipalities should require a primary and replacement tested absorption area for lots proposed for on-lot sewage disposal.
- Municipalities should monitor the performance of all sewage disposal facilities within their borders and take corrective measures, as appropriate.
- Municipalities should maintain an up-to-date Official Sewage Plan, as prescribed by law.
- The LVPC will support the sewage facilities policies through MPC, Act 537 and other project reviews.

**GOAL**

*To coordinate economical, efficient sewage disposal with existing and future development.*

**POLICIES**

- Urban development should locate in areas where the public sewer system can accept additional growth, either at present or through limited expansion and upgrading, consistent with the comprehensive plan recommendations for urban development.
- Urban development should be discouraged in areas where it can only be served by on-site sewage disposal systems or new central sewage facilities. However, urban development in areas recommended for rural development in this comprehensive plan may be served by existing or expanded publicly-owned sewage facilities under the following conditions:
  - the expansion is contiguous with the urban development area designated in this plan and does not include areas designated for natural resource preservation or farmland preservation,
  - the expanded area is designated for urban development in the municipal comprehensive plan, zoning ordinance, and municipal planning for sewer expansions,
  - the area will be served by publicly-owned water and its expansion will not create traffic safety or congestion problems.
- Public system treatment plant expansions and relief interceptors should be constructed to accommodate new development that occurs consistent with this comprehensive plan. The timing and sizing of these facilities should be consistent with the sewage flow forecasts included in the LVPC Sewer and Water Plan or suitable alternate forecast prepared by the municipality.
- In areas where the comprehensive plan recommends urban development, but where public sewers are not yet available, lot sizes smaller than one acre served by on-site sewage disposal should be allowed if the project is consistent with the municipal Act 537 plan and if a viable financing commitment exists for extension of sewer lines. A tested primary absorption area should be provided for each lot and a capped sewer system should be installed. The capped sewer system should be connected to the public system when available.
- Rural development should be served by on-lot sewage disposal facilities except where local
zoning allows conservation design techniques to preserve natural resources or farmland using publicly-owned central sewage disposal facilities. Publicly-owned sewage treatment and disposal may also be acceptable for recreational, institutional or other public uses that by necessity require a rural location.

- In areas recommended for urban development, interim central sewage facilities should be allowed if properly installed and maintained, and if the development can be connected to public sewers within five years.
- If, after an evaluation of alternatives, it is determined that a public sewage system is the best solution to an existing sewage disposal problem, then the capacity of the new system should be determined as follows:
  - If the provision of sewers means the area would be recommended for urban development in this comprehensive plan, the system should be designed to serve additional urban development areas supported by an updated planning analysis.
  - If the area would not be recommended for urban development in this comprehensive plan, even with sewers, the system should be designed to serve only the existing development.

**IMPLEMENTATION**

- The LVPC will prepare a supplement to the 1995 Sewage Facilities Plan to reflect revised population forecasts and future sewage flows.
- Municipal official sewage plans should be compatible with the municipal comprehensive plan and zoning and this comprehensive plan. Municipal plans should be coordinated with the sewage disposal plans/needs of adjacent municipalities.
- The Pennsylvania Department of Environmental Protection and municipalities should disapprove applications for new central sewage facilities to serve urban land uses in areas not recommended for urban development in the comprehensive plan.
- To ensure that central sewage systems are operated in accord with DEP standards, municipalities should assume ownership of any system within their borders. In the event that these systems remain private, municipalities should require assurances for proper long-term operation and maintenance.
- The LVPC will support the sewage facilities policies through MPC, Act 537 and other project reviews.

**WATER SUPPLY PLAN**

Preservation of water resources is a major priority of the regional water supply plan. Pollution and/ or loss of potable water are potential problems facing many municipalities. Overall, water of adequate quality and quantity is available to meet current demands in the Lehigh Valley. However, the ability to provide a safe, reliable water supply could be adversely impacted without careful county and local planning. Water suppliers need to have emergency plans, establish emergency interconnections with other systems and implement water source protection programs to assure a safe, reliable supply. The LVPC has created several ordinances that are available for consideration by municipalities to help ensure water supplies of adequate quantity and quality for existing and future users. These ordinances include a wellhead protection ordinance, small water system ordinance and draft water withdrawal ordinance.

The LVPC previously prepared a long range water supply plan in 1995. That plan contains the detailed water policies that are the basis of LVPC project reviews. Its primary purpose is to guide water supply decisions for the region. The 1995 plan evaluates existing and future water use for community and central water systems. Water usage and facility data is available annually from the DEP for each system. Community and central water systems are defined as follows:

- **Community water systems** — publicly or privately-owned systems which serve a generalized service area and are designed independently of specific land developments or subdivisions.
- **Central water systems** — publicly or privately-owned systems designed primarily to serve a single subdivision, land development or rural public use involving two or more lots or domestic water use in excess of one EDU on a single lot.

The availability of community water systems has been a factor influencing the location of urban development within the two counties. Approximately 85% of all approved building lots during...
the 1994-2003 period were served by community water systems. The LVPC Water Supply and Sewage Facilities Plan 2000 Supplement documents 25 community water systems in the two counties with their own source(s) of supply. Since 2000, the Citizens Utilities water system and service area were acquired by the Penn American water system. Many community systems serve multiple municipalities (see Map 23 for Existing Water Service).

Coordination of community water system development with comprehensive land use planning is essential for assuring long-term, reliable water supplies. Water demand projections for community water systems help identify needed improvements to source yield, filtration capacity and treated storage volume. Based on 1995 system data, 12 of the 25 community water suppliers required at least one of these improvements. Water supply sources and land use also need to be matched to prevent pollution of supplies. Thus far, Upper Mount Bethel Township, Catasauqua Borough and Washington (L) Township have adopted wellhead protection ordinances to help prevent pollution.

The LVPC compiled data on central water systems in the Water Supply and Sewage Facilities Plan 2000 Supplement. There are 32 central water systems serving subdivisions and institutions, and 37 central water systems serving mobile home parks. These systems are widely dispersed. Adding them to a regional system is often difficult, expensive and at public cost. Recently, several central systems have been proposed for acquisition by community systems because there are either operational problems with the central systems or the owners simply no longer want them. In 1997, the LVPC prepared a small water system ordinance designed to regulate both the creation of new small water systems and the expansion of existing small water systems.

The cost for providing water will increase as amendments to federal and state regulations are enacted requiring water systems to meet more stringent standards. Large community water systems, through economies of scale and diverse customer bases, should have less trouble meeting new standards. However, new pollutant regulations could have a serious impact on central water systems. Many central water system owners do not have the knowledge or money to meet new requirements. The result could be many existing central water systems being abandoned if not obtained by capable suppliers. A means for assuring that adequate water supply is provided by existing central systems and that any new systems are viable needs to be established regionally and statewide.

Water industry representatives have also expressed concern that water system replacement costs will become a serious problem in older urban areas. It is expected that water suppliers will need to establish appropriate facilities monitoring and capital replacement programs to meet these challenges in the future.

Providing service to existing and future customers in an adequate and cost-effective way often requires agreements between municipalities. The agreements may be for routine water service or may include provisions to deal with emergencies. Most adjacent water systems/municipalities have water supply agreements to govern service areas, allocations and emergencies. However, several situations still exist where there are no agreements or inadequate existing agreements. These communities need better agreements to assure that a safe, reliable water supply is available at all times.

In response to concerns over large commercial water withdrawal proposals in the Lehigh Valley, the LVPC researched a draft water withdrawal ordinance in 1997 for consideration by municipalities to manage water resources. The intent of the ordinance was to ensure continuous water availability and prevent adverse impacts on existing users for proposed withdrawals of 10,000 to 100,000 gallons per day that are less than that regulated by Delaware River Basin Commission (DRBC). DRBC has broad regulatory authority over water withdrawals. Municipalities should be aware of this authority and the potential legal limitations of the draft ordinance.

In 2002, the LVPC completed a preliminary assessment report of the Valley’s water resources to identify current and future well water users of all types through 2030 and water availability during normal and drought conditions. Types of users include community and central water systems and users with their own individual well such as commercial agriculture production operations, golf courses, residential, commercial/industrial and water bottling operations, among others. These uses are included in the assessment because they have
an impact on water resources. From the available data, it was found that well water demand will not exceed groundwater supply during normal and drought conditions through 2030. However, one of the main findings of the assessment was the lack of up-to-date, reliable data on water usage, groundwater recharge and water quality. DEP and DRBC need to create both consistent, current databases for the data and comprehensive water management policies addressing various hydrologic settings. These issues may be resolved as part of an updated State Water Plan. In December 2002, the state passed the Water Resources Planning Act. The act mandates that the State Water Plan be updated within five years.

Changes to the Pennsylvania Municipalities Planning Code (MPC) in 2000 require municipal and county comprehensive plans to contain a plan for the reliable supply of water. This section of the comprehensive plan contains policies and implementation strategies to address the MPC amendment. The water supply goals and policies of this plan are generally consistent with those of the current State Water Plan and Delaware River Basin Commission Comprehensive Plan. The county comprehensive plan, through its policies, promotes the provision of adequate supplies of water of good quality to meet the existing and future needs of the Lehigh Valley.

**GOAL**

*To provide water supplies of adequate quantity and quality to meet both the existing and future needs of all persons.*

**POLICIES**

- The quality and quantity of existing ground and surface water should be protected. Proposed water withdrawals should be accomplished without adversely impacting the present or future uses of the Basin’s water resources during both drought and non-drought conditions. Lawful activities, such as extraction of minerals, impact water supply sources and such activities are governed by statutes regulating mineral extraction that specify replacement and restoration of water supplies affected by such activities.
- Areas experiencing problems with existing on-site or central water supply should be provided with adequate water service. The most cost-effective solution to the problems should be implemented after an evaluation of appropriate alternatives is completed.
- Water conservation measures should be implemented by all existing and future systems during both emergency and non-emergency operations.
- Community and central water facilities should be designed, constructed, and managed to provide long-term adequate water supply.
- Existing central water systems should be operated and managed in accord with DEP public water system standards.

**IMPLEMENTATION**

- The LVPC will prepare a supplement to the 1995 Water Supply Plan to reflect revised population forecasts and future water demand.
- DEP and DRBC should coordinate development of both the State Water Plan and Delaware River Basin Commission Comprehensive Plan to provide updated forecasting techniques, water user database and recharge data, and water supply policy that reflects the integrated nature of surface and groundwater resources.
- DEP and DRBC should, through documented environmental assessments, ensure that new or expanded water withdrawals do not adversely impact existing water uses or the availability of water to support future water needs during both drought and non-drought conditions.
- DEP should ensure that regulations for mineral extraction activities are enforced providing protection for water supply sources.
- DEP should develop performance standards for the design, construction, location and maintenance of individual water supply wells and a mechanism to implement them at the local level.
- Municipalities and water suppliers should implement surface and groundwater source protection programs based upon the LVPC model wellhead protection ordinance.
- Water suppliers should ensure adequate water supply during drought or pollution emergencies.
- Municipalities and water suppliers should implement water conservation programs for both the system and individual users during
both emergency and non-emergency operations.

- Metering of sources and individual customer use should be provided for all central and community water systems.
- Water suppliers should make improvements to their water systems to meet the requirements of the current federal and state Safe Drinking Water Act (SDWA).
- Water suppliers should develop capital replacement programs to identify strategies and programs for replacement of aging water system infrastructure.
- LVPC staff will promote water conservation and groundwater/wellhead protection through the use of existing brochures. LVPC staff will provide the model small water system ordinance and the draft water withdrawal ordinance to interested parties.
- The LVPC will support the water supply facilities policies through MPC, Act 537, DRBC, PUC and other project reviews.

**GOAL**

To coordinate economical, efficient water service with existing and future development.

**POLICIES**

- Urban development should locate where the existing community water system can accept additional growth, either at present or through limited expansion and upgrading, in areas where the comprehensive plan recommends urban development.
- Urban development should be discouraged in areas where it can only be served by on-site water systems or new central water facilities. However, urban development in areas recommended for rural development in the comprehensive plan may be served by existing or expanded publicly-owned water facilities under the following conditions:
  — the expansion is contiguous with the urban development area designated in this plan and does not include areas designated for natural resource preservation or farmland preservation,
  — the expanded area is designated for urban development in the municipal comprehensive plan, zoning ordinance, and municipal planning for water expansions,
  — the area will be served by publicly-owned sewers and its expansion will not create traffic safety or congestion problems.
- In areas where on-site sewage disposal systems will be used for more than five years, the availability of a central water system should not be used as a basis for permitting urban development.
- A safe and reliable community water supply should be available in areas designated by this plan for urban development.
- Community water supply sources, treated storage and filtration plant capacities should be expanded to accommodate new development that occurs consistent with this comprehensive plan. The timing and sizing of these facilities should be consistent with the water demand forecasts included in the LVPC Sewer and Water Plan.
- Rural development should be served by on-site water supply except where local zoning allows conservation design techniques using publicly-owned central water supply facilities to preserve natural resources or farmland. Publicly-owned community or central water supply may also be acceptable for recreational, institutional or other public uses that by necessity require a rural location.
- Provision of water supply should be accomplished as efficiently and economically as possible. Maximum use should be made of the existing community water systems to more efficiently use present investments and minimize future investments in water supply facilities.
- In areas recommended for urban development, interim central water facilities should be allowed only if designed, at minimum, to meet DEP public water system standards, if properly installed and maintained, if the development is connected to the existing community water system when available and if the expected need for centralized facilities is no longer than five years.
- Municipal and multimunicipal plans should coordinate land use planning with water resource planning.

**IMPLEMENTATION**

- The LVPC will prepare a supplement to the 1995 Water Supply Plan to reflect revised population forecasts and future water demand.
- Municipalities should include a water supply plan component as part of the municipal comprehensive plan.
• Municipalities and water suppliers should prepare or update water supply agreements with adjacent municipalities to provide service consistent with the urban development recommendations of this plan.
• Municipalities should adopt ordinance provisions consistent with DEP regulations to assure adequate design, construction, and management of new or expanded central water facilities.
• The DEP and municipalities should not approve applications for new centralized water facilities to serve urban land uses in areas not recommended by LVPC.
• To ensure that central water systems are operated in accord with DEP standards, the host municipality, authority or community water supplier should assume ownership of any system. In the event that these systems remain private, municipalities should require assurances for proper long-term operation and maintenance.
• The LVPC will support the water supply policies through MPC, Act 537, DRBC, PUC and other project reviews.

STORMWATER MANAGEMENT

Historically within Pennsylvania, stormwater management design criteria were crafted by individual municipalities without consideration of watershed-wide impacts. Adequate planning cannot be done on a parcel-by-parcel, municipality-by-municipality basis. Additionally, stormwater law was a patchwork of court decisions based partially on the civil law doctrine protecting downstream landowners and partially on the common enemy doctrine protecting the rights of upstream landowners. Lack of clear legal guidance and sufficient hydrologic information historically hampered the ability of municipalities to make sound stormwater management decisions.

In 1978, the Pennsylvania General Assembly passed the Stormwater Management Act, Act 167 of 1978, which clarified both the technical and legal elements of stormwater management decisions. Act 167 requires counties to prepare stormwater management plans on a watershed-by-watershed basis. The plans must be developed in consultation with the affected municipalities. Standards for control of runoff from new development are a required component of each plan and are based on a detailed hydrologic assessment. A key objective of each plan is to coordinate the stormwater management decisions of the watershed municipalities. Implementation of each plan is through mandatory municipal adoption of ordinance provisions consistent with the plan.

Within Lehigh and Northampton counties, the Lehigh Valley Planning Commission prepares plans on behalf of both counties. The state has designated 16 Act 167 study areas within the region. Map 24 displays the status of Act 167 planning in the Lehigh Valley in December 2010.

Until 2004 stormwater planning dealt solely with runoff quantity and not with runoff quality. In order to comply with requirements of the National Pollutant Discharge Elimination System (NPDES) regulations from the Environmental Protection Agency, 59 of the 62 municipalities in Lehigh and Northampton counties must adopt and implement an ordinance that requires the use of stormwater Best Management Practices (BMPs) to reduce or prevent the discharge of pollutants into receiving waters. The LVPC prepared an update to the Little Lehigh Creek Watershed Act 167 Plan to address water quality issues. The municipalities in the watershed adopted the model ordinance in 2004. The Little Lehigh Water Quality model ordinance is used as a starting point for water quality updates in other watersheds in the Lehigh Valley.

Plans prepared under the Stormwater Management Act will not resolve all drainage issues. A key goal of the planning process is to maintain existing peak runoff rates throughout a watershed as land development continues to take place. This process does not solve existing flooding problems although it should prevent these problems from getting worse. Correction of existing flooding problems is the responsibility of the municipalities.

GOAL

To manage the rate, volume and quality of storm runoff for protection of public safety and welfare, property and the environment.

POLICIES

• New development should be designed with respect for natural drainage patterns to avoid future storm drainage problems.
MAP 24
STORMWATER MANAGEMENT PLANS
PA ACT 167

WATERSHED DESIGNATIONS
1. Little Lehigh Creek
2. Jordan Creek
3. Coplay Creek
4. Trout/Bertsch Creeks
5. Maiden Creek Headwaters
6. Perkiomen Creek Headwaters
7. Saucon Creek
8. Hokendauqua Creek
9. Nancy Run
10. Monocacy Creek
11. Catasauqua Creek and Adjacent Watersheds
12. Bushkill Creek
13. Martins/Jacoby Creeks
14. Fry’s Run and Adjacent Watersheds
15. Sacony Creek Headwaters
16. Tohickon Creek/Delaware River (North)

STATUS OF PLAN
- Plan Complete
- Plan Update Underway

Source: Lehigh Valley Planning Commission, December 2010

*Original Plan prepared by Berks County.
**Original Plan prepared by Bucks County.
To assure preservation of adequate areas for carrying storm runoff, structures should not be developed in natural swales identified in the LVPC report entitled *Regional Storm Drainage Plan* (1975).

Open channels may be constructed where a natural swale, as identified in the Regional Storm Drainage Plan, inhibits reasonable use of a property. Open channels should follow the course and grade of the existing swale and should be designed to minimize erosion.

In watersheds governed by an approved stormwater management plan under Act 167 of 1978, stormwater controls should be provided to meet the performance standards specified in the plan.

In watersheds not governed by an approved stormwater management plan, the municipality, in consultation with the municipal engineer, should determine the appropriateness of stormwater detention for new development.

Stormwater management during construction should be accomplished in a manner that is consistent with the Department of Environmental Protection regulations as administered by the county conservation districts. Standing water on construction sites should be managed in a manner that protects public health, safety and welfare.

**IMPLEMENTATION**

Lehigh and Northampton counties should continue their commitment to preparing and updating stormwater management plans under Act 167 of 1978.

Stormwater management plans created under Act 167 should promote protection of existing and future water supply sources.

Municipalities should implement the provisions of approved stormwater management plans through timely adoption of ordinances and diligent enforcement of runoff control criteria.

Municipalities should prepare engineering studies and develop capital improvement programs to solve their existing drainage problems as identified in the stormwater management plans and the regional storm drainage plan.

The LVPC staff will continue to evaluate the need to update Act 167 plans for both quantity and quality and will make recommendations to the counties for plan updates, as appropriate.

LVPC staff will conduct detailed reviews of the storm drainage component of subdivisions and land developments for consistency with adopted stormwater management plans. LVPC staff will monitor the design compliance of subdivision and land development plans with stormwater management plan requirements and report periodically to the LVPC.

Municipalities should ensure the proper construction of storm drainage facilities in accord with approved subdivision and land development plans.

Municipalities should ensure continued operation and maintenance of storm drainage facilities through regular inspections and enforcement of maintenance plans.

LVPC staff will annually evaluate the need to continue the training seminars for engineers (municipal and private) regarding proper application of the performance standards contained in adopted stormwater management plans.

The LVPC will evaluate the feasibility of creating a regional stormwater infrastructure plan that will provide solutions to existing flooding problems.

Municipalities should adopt ordinance provisions to regulate standing water on construction sites and should routinely inspect construction sites for standing water to insure the protection of public health, safety and welfare.

The county conservation districts should routinely inspect construction sites and enforce the stormwater management measures in the approved erosion and sedimentation control plan.

**SOLID WASTE**

In Pennsylvania solid waste management follows the provisions of the Municipal Waste Planning, Recycling and Waste Reduction Act of 1988 (Act 101). The act grants powers and duties to counties and municipalities relating to solid waste management. Counties are responsible for the preparation and implementation of a municipal waste management plan. The plan must contractually assure the existence of waste disposal capacity for a ten-year period. Municipalities may opt out of a county plan if they have their own plan. Municipalities with a population greater than 5,000 and a population density of 300 or more persons per square mile are required to have a
curbside collection recycling program. The act remains in effect although the courts have ruled that flow control, the primary means of implementing the municipal waste management plans, is unlawful.

Lehigh and Northampton counties have each prepared a solid waste plan to meet the Act 101 requirements. The most recent adopted plans are dated 1990 (Northampton County) and October 1996 (Lehigh County). These plans have been approved by DEP. Northampton County has also completed a revised plan dated March 2003. Plan adoption is pending at this writing. The draft Northampton County Municipal Waste Management Plan allows municipal waste to be taken to a number of facilities, each of which has a contract with the county to accept the waste. In a similar fashion, the Lehigh County Solid Waste Management Plan allows solid waste to be taken to any permitted facility. The county has entered into contracts with disposal facilities located within 100 miles of the county such that the facilities will accept waste generated in the county. However, the waste may also be taken to permitted facilities that are more than one hundred miles from the county. Both of the solid waste plans seek to reduce the amount of solid waste needing disposal by promoting recycling. Recycling programs are part of each of these plans. The county plans assure disposal capacity for a ten-year period.

The Act 101 plans do not cover hazardous, infectious, construction and demolition and residual (industrial) wastes. Specific DEP regulations control the disposal of each of these types of waste. The Act 101 plans do not consider issues relevant to permit applications or modifications to existing solid waste facilities, including expansions. They include no policies on such matters and take no positions on any such permit application, except that the draft Northampton County plan supports the capacity expansion of the East Penn Transfer Station.

Improperly managed solid waste facilities can create numerous problems such as groundwater pollution, surface water pollution, air pollution, odors, noise, off-site litter, disease and vectors. DEP is charged with enforcing rules and regulations to prevent these problems. The rules and regulations cover the design and operation of solid waste facilities through a permit process. The permit process allows the host municipality and the host county to review and comment on the permit applications. Lehigh and Northampton counties have designated the LVPC to handle host county reviews. However, the LVPC is neither staffed nor funded to do technical reviews of solid waste issues. Local governments retain a degree of control over facility siting, design and operations insofar as relevant state laws enable and do not preempt such regulations.

**Goal**

*To assure environmentally responsible and economical waste disposal.*

**Policies**

- Disposal of waste generated in Lehigh and Northampton counties should be in accord with the Northampton County Municipal Waste Plan or the Lehigh County Solid Waste Management Plan as relevant.
- Material should be recycled and reused to the degree economically feasible. (Economic feasibility considers avoided disposal costs as well as direct revenues.)
- Solid waste facilities should be sited in areas with adequate access and in accord with the policies of this plan, including those relating to land use, natural resource protection, farm-land preservation, recreation and open space and highways.
- Solid waste facilities should be designed and operated to minimize the impact on existing residential areas in accord with the policies of the housing section of this plan.
- Solid waste facilities should be designed in accord with the relevant stormwater management plan and should mitigate the offsite traffic impacts.

**Implementation**

- The counties should assure adequate waste disposal through timely updates to the solid waste plans.
- The counties should implement the recycling components of their Act 101 Solid Waste Management Plans. Municipalities should fulfill their obligations set forth by Act 101.
- The LVPC will review solid waste facility permit applications to determine consistency with the plans and policies of this comprehensive plan, not against technical criteria or other considerations.