



RTK Number: 13100el

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OFFICE OF OPEN RECORDS

WORCESTER TOWNSHIP, MONTGOMERY COUNTY

## STANDARD RIGHT-TO-KNOW REQUEST FORM

DATE REQUESTED: 9/22/13

REQUEST SUBMITTED BY:  E-MAIL     U.S. MAIL     FAX     IN-PERSON

NAME OF REQUESTOR: Jr M/W/wh

REQUESTOR STREET ADDRESS: \_\_\_\_\_

REQUESTOR CITY/STATE/COUNTY (Required): \_\_\_\_\_

REQUESTOR TELEPHONE (Optional): \_\_\_\_\_

REQUESTOR E-MAIL ADDRESS (Optional): \_\_\_\_\_

### RECORDS REQUESTED:

\*Provide as much specific detail as possible so the agency can identify the information.

*at the most recent BOS meeting supervisor Croushaw stated that the township \$37 plan is not low, not something that at the end of 10 years period must be put into place and that, "we are not in violation of a plan that required us to do something, the attached letter appears to contradict those statements"*

DO YOU WANT COPIES? YES or NO *(certified)*

DO YOU WANT TO INSPECT THE RECORDS? YES or NO

DO YOU WANT CERTIFIED COPIES OF RECORDS? YES or NO

RIGHT TO KNOW OFFICER: TOWNSHIP MANAGER OR ASSISTANT MANAGER

DATE RECEIVED BY THE AGENCY:

AGENCY FIVE (5)-DAY RESPONSE DUE:

\*\*Public bodies may fill anonymous verbal or written requests. If the requester wishes to pursue the relief and remedies provided for in this Act, the request must be in writing (Section 702.) Written requests need not include an explanation why information is sought or the intended use of the information unless otherwise required by law. (Section 703.)

**From:** jim  
**Sent:** Monday, September 23, 2013 4:10 PM  
**To:** Lee M; elucey@worcestertwp.com  
**Subject:** FW: RTK letter dep  
**Attachments:** DEP letter june RTK 9 22 13.pdf

Mr. Mangan,

Please include the Standard RTK form with the request below. I have attached it for your files.

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**From:** jim  
**Sent:** Sunday, September 22, 2013 4:26 PM  
**To:** Lee M ([manager@worcestertwp.com](mailto:manager@worcestertwp.com)); [elucey@worcestertwp.com](mailto:elucey@worcestertwp.com)  
**Subject:** RTK letter dep

Mr. Mangan,

At the most recent Worcester Board of Supervisors meeting (9/18/13), Supervisor Bustard gave a summary of the progress at the Valley Green facility and the Township's obligations to the residents of the Hickory Hill or Worcester Acres development per the Township's 537 plan. In his summary, Mr. Bustard gave a synopsis which included the following; The Township's comprehensive plan targeted this area for relief for individual sewer systems. The Township had received increasing number of calls over the past several years by residents with failing systems inquiring when expansion of the sewer system into hickory hill would take place. September of 2012, the Township engineer gave a presentation on the type of systems that could be installed. The Township borrowed 2 and ½ million dollars to upgrade the Valley Green facility to bring it up to its "original" capacity. A survey was sent out in 2012 twice and by early spring they were returned and according to Mr. Bustard, a "slight majority" favored connection. Mr. Bustard than in a very unusual maneuver, singled out several members of the public, noted they "attended all the meetings of the Supervisors" and that they "pressed us" to connect the residents of Hickory Hill to the municipal system. Chairman Bustard even referred to one of the residents as a "spokesman". Mr. Bustard went on to reference a letter received by the Township from DEP in June of 2013, inquiring as to the "status of our expansion in the Hickory Hill Area." "Since we had already scheduled a meeting and vote for our July meeting, the letter had become MOOT."

Supervisor Caughlan went on to note, there are 50 year old systems, they are failing and they are depositing sewage on the surface of the property, "that is the reason we are acting now", "that is the reason DEP has acted." "However we are not being forced by DEP to do something". Ms. Caughlan went on to note that "The 537 Plan is not a Law." But "it is prepared consistent with State Law." "It is not something that at the end of a 10 year period must be put into place." "We are not in violation of a plan that required us to do something."

I made the statement to Mr. Bustard that, "You have absolutely no decision making ability to say NO, Am I correct?" To which Mr. Bustard responded, "Yeah, You're probably correct."

Just 20 minutes later Mr. Rock asked Mr. Bustard, "Is DEP requiring us to hook up Worcester Acres to sewer or not. To which Mr. Bustard responded, "They haven't gone that far yet". Mr. Nolan, Township Engineer had to correct this error by stating, "DEP is requiring us to provide public sewer service to that development."

Considering the reluctance of Supervisors to admit that DEP is requiring the Township to provide public sewer to Hickory Hill and Supervisor Caughlan's comments in the face of Mr. Nolan's concessions that DEP has made such requirements, I am requesting the following,

#13-1001

1. I would like a copy of the June 2013 letter referenced above by Mr. Bustard from DEP to you and/or the Township at the 9/18/13 Board of Supervisors Meeting referenced above.

Please scan and transmit electronically.

Thanks

Jim Mollick

RECEIVED

SEP 28 2013

due 9/30



**pennsylvania**

DEPARTMENT OF ENVIRONMENTAL PROTECTION

SOUTHEAST REGIONAL OFFICE

June 20, 2013

Mr. F. Lee Mangan, Manager  
Worcester Township  
1721 Valley Forge Road  
Worcester, PA 19490

Re: Worcester Township Act 537 Plan  
Act 537 Sewage Facilities Plan Update  
Worcester Township  
Montgomery County

Dear Mr. Mangan:

On June 18, 2013, the Department of Environmental Protection (DEP) received an inquiry from a Worcester Township resident about the availability of public sewers in the vicinity of Hickory Hill and Landis Roads.

Your current Act 537 Official Sewage Facilities Plan, adopted by the Worcester Township Supervisors and approved by DEP on September 6, 1996, required public sewers to be installed in the Hickory Hill and Landis Roads service areas within 10 years (2006). It has come to our attention that the plan has not been implemented for these areas. The resident reports that the septic systems in the Hickory Hill Road area are approximately 50 years old. There are also concerns that soils in these study areas may not support the long-term use of on-lot sewage disposal.

Section 71.11 of DEP's regulations, 25 Pa. Code Section 71.11, requires municipalities to "develop and implement comprehensive official plans which provide for the resolution of 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." Please provide DEP with a status report of the implementation of your current Act 537 Plan. In this report, please provide an explanation describing why this area has not been sewerred and what course of action Worcester Township plans to take regarding the implementation of its Act 537 Plan. Please provide this report within 30 days of the date of this letter.

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Southeast Regional Office | 2 East Main Street | Norristown, PA 19401-4915

484.250.5970 | Fax 484.250.5971

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Mr. F. Lee Mangan, Manager

- 2 -

June 20, 2013

This letter is neither an order nor any other final action of DEP. It neither imposes nor waives any enforcement action available to DEP under any of its statutes. If DEP determines that an enforcement action is appropriate, you will be notified of the action.

If you have any questions, please contact me at 484.250.5186.

Sincerely,



Stefanie P. Domaszewicz  
Sewage Planning Specialist 2  
Clean Water

cc: Montgomery County Planning Commission  
Ms. Paul - Montgomery County Health Department  
Ms. Lucnis - Worcester Township  
Planning Section  
Re 30 (eh13clw)171-4