

AGREEMENT

THIS AGREEMENT, dated this _____ day of _____, _____ by and between _____ JOE KIELY of the Township of HELLAM, County of YORK and state of Pennsylvania (hereinafter OWNER) and the Township of HELLAM, a municipality within the Commonwealth of Pennsylvania (hereinafter TOWNSHIP);

WHEREAS; OWNER is desirous of installing a Small Flow Treatment Facility, (hereinafter SFTF) on real estate more particularly described in Land Development Modules;

WHEREAS; an unnamed tributary of Kreutz Creek, is to receive the discharge from the SFTF;

WHEREAS; said receiving stream is within the TOWNSHIP and the TOWNSHIP is required to enforce the Clean Streams Law of Pennsylvania and to prevent violations of the Clean Streams Law of Pennsylvania;

WHEREAS; The TOWNSHIP must approve the Planning Module for Land Development submitted by OWNER prior to OWNER obtaining Department of Environmental Resources (hereinafter DER) permits for SFTF and installing the SFTF;

NOW, THEREFORE, in consideration of the foregoing and to induce the TOWNSHIP to approve said Planning Module, and intending to be legally bound, OWNER, their heirs and assigns COVENANT and agree as follows;

1. The proposed system shall be used for the disposal of household, (domestic) type waste only.
2. The sewage flow to the proposed system shall be no greater than 2000 gallons per day.
3. Said system shall be properly maintained, monitored, and inspected by a qualified inspector designated by the TOWNSHIP at least 2 times per year and cleaned at least once every three years. Copies of said inspection reports and certification that the system has been cleaned must be submitted to DER within thirty (30) days of receipt by OWNER.
4. OWNER shall bear all costs and expenses incurred in maintaining, inspecting and cleaning said system and in providing reports to PADEP.

5. In the event a system malfunction is observed by OWNER, OWNER shall notify TOWNSHIP and PADEP of proposed method of repair within ninety (90) days and proceed in accordance with the Sewage Facilities Act and PADEP Rules and Regulations.
6. In the event a system malfunction is observed by TOWNSHIP, TOWNSHIP shall immediately notify OWNER and PADEP. OWNER shall notify TOWNSHIP and PADEP of proposed method of repair and proceed in accordance with the Sewage Facilities Act and PADEP Rules and Regulations.
7. In the event OWNER does not proceed with repairs, TOWNSHIP shall enter upon the property to abate the nuisance created thereby, with costs and expenses incurred to be paid by OWNER; PROVIDED, nevertheless, (so long as an emergency condition does not exist) that OWNER shall be given five (5) working days prior notice by the TOWNSHIP of their intent.
8. In the event OWNER sells/deeds property, OWNER shall notify TOWNSHIP and PADEP of name of new OWNER within thirty (30) days of transaction.

THIS AGREEMENT must be lodged in the office of the Recorder of Deeds of YORK County, Pennsylvania and the Agreement shall be binding upon heirs, successors and assigns of OWNER.


OWNER

OWNER

SEAL

TOWNSHIP SECRETARY

TOWNSHIP

PRESIDENT

Corina Mann

From: Keith Heigel <KHeigel@light-heigel.com>
Sent: Monday, May 12, 2025 6:37 PM
To: Corina Mann
Subject: Kiely Planning Module
Attachments: AX20RTUV Combo Mode with Gravity Discharge.pdf; Monarch AXRT Concrete Tank.pdf; estimate-14277.pdf

Follow Up Flag: FollowUp
Flag Status: Flagged

Corina

I've attached information on the proposed system and the maintenance agreement that will be part of the O&M.

The system will be maintained by the supplier of the unit.

The Township can make the owner to use it as a holding tank if it is not maintained.

A signed agreement and PADEP Resolution will be forwarded to the Township prior to the BOS meeting.

Please let me know if you have any comments or questions.

Keith



May 5, 2025

CERTIFIED MAIL NO. 7020 1810 0000 0183 3361

Hellam Township Board of Supervisors
35 Walnut Springs Road
York, PA 17406

Re: Denial Letter – Technically Deficient Application
Act 537 Planning – Component 3s Revision
Joseph T. Kiely
DEP CODE NO. B3-67929-241-3s
APS ID No. 1123447, AUTH ID No. 1520494
Hellam Township, York County

Dear Supervisors:

The Department of Environmental Protection (DEP) has reviewed the above referenced application and determined that it continues to be technically deficient. The applicant failed to provide sufficient information and supporting documentation as required by Act 537, The Clean Streams Law (CSL), and regulations promulgated thereunder, for DEP to conduct a technical review and act upon the application, and it is therefore denied. This information required is as follows:

Technical Deficiencies

- The planning submission fails to address operation and maintenance of the proposed Small Flow Treatment Facility as required by Section Q.1 of the Component 3s and by Chapter 71, Section 71.64.(c)(5).

Any reconsideration of this project shall occur only if a complete and updated set of planning modules is submitted. The new DEP Code No. C3-67929-241-3s must be used. All materials must be newly adopted by resolution, and otherwise meet the requirements of Chapter 71 of DEP's regulations.

Any person aggrieved by this action may appeal the action to the Environmental Hearing Board (Board), pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. § 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A. The Board's address is:

Environmental Hearing Board
Rachel Carson State Office Building, Second Floor
400 Market Street
P.O. Box 8457
Harrisburg, PA 17105-8457

TDD users may contact the Environmental Hearing Board through the Pennsylvania Relay Service, 800-654-5984.

Appeals must be filed with the Board within 30 days of receipt of notice of this action unless the appropriate statute provides a different time. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

A Notice of Appeal form and the Board's rules of practice and procedure may be obtained online at <https://ehb.pa.gov> or by contacting the Secretary to the Board at 717-787-3483. The Notice of Appeal form and the Board's rules are also available in braille and on audiotape from the Secretary to the Board.

IMPORTANT LEGAL RIGHTS ARE AT STAKE. YOU SHOULD SHOW THIS DOCUMENT TO A LAWYER AT ONCE. IF YOU CANNOT AFFORD A LAWYER, YOU MAY QUALIFY FOR FREE PRO BONO REPRESENTATION. CALL THE SECRETARY TO THE BOARD AT 717-787-3483 FOR MORE INFORMATION. YOU DO NOT NEED A LAWYER TO FILE A NOTICE OF APPEAL WITH THE BOARD.

IF YOU WANT TO CHALLENGE THIS ACTION, YOUR APPEAL MUST BE FILED WITH AND RECEIVED BY THE BOARD WITHIN 30 DAYS OF RECEIPT OF NOTICE OF THIS ACTION.

If you have any questions or concerns, please call Carrie Wilt at 717.705.4755, and refer to DEP Code No. B3-67929-241-3s, Application No. 1123447 and Authorization No. 1520494.

Sincerely,

Maria D. Bebenek, P.E. (electronically signed 05/05/2025)

Maria D. Bebenek, P.E.
Program Manager

cc: Joseph T. Kiely (pdf)
Keith Heigel, Light-Heigel & Associates, Inc. (pdf)
Patrick Buhl (pdf)
York County Planning Commission (pdf)



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF CLEAN WATER

**TRANSMITTAL LETTER
FOR SEWAGE FACILITIES PLANNING MODULE**

DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP) USE ONLY				
DEP CODE #	CLIENT ID #	SITE ID #	APS ID #	AUTH. ID #

TO: Approving Agency (DEP or delegated local agency)

Date May 13, 2025

PADEP

150 Roosevelt Ave. Suite 200York, PA 17401

Dear Sir/Madam:

Attached please find a completed sewage facilities planning module prepared by Light-Heigel & Assoc., Inc.

(Name)

Engineering and Surveying

(Title)

for Joseph Kiely

(Name)

a subdivision, commercial, or industrial facility located in Hellam TownshipYork

(City, Borough, Township)

County.

Check one

- ☒ (i) The planning module, as prepared and submitted by the applicant, is approved by the municipality as a proposed ☐ revision ☒ supplement for new land development to its Official Sewage Facilities Plan (Official Plan), and is ☒ adopted for submission to DEP ☐ transmitted to the delegated LA for approval in accordance with the requirements of 25 Pa. Code Chapter 71 and the *Pennsylvania Sewage Facilities Act* (35 P.S. §750),

OR

- ☐ (ii) The planning module will not be approved by the municipality as a proposed revision or supplement for new land development to its Official Plan because the project described therein is unacceptable for the reason(s) checked below:

Check Boxes

- ☐ Additional studies are being performed by or on behalf of this municipality which may have an effect on the planning module as prepared and submitted by the applicant. Attached hereto is the scope of services to be performed and the time schedule for completion of said studies.
- ☐ The planning module as submitted by the applicant fails to meet limitations imposed by other laws or ordinances, officially adopted comprehensive plans and/or environmental plans (e.g., zoning, land use, 25 Pa. Code Chapter 71). Specific reference or applicable segments of such laws or plans are attached hereto.
- ☐ Other (attach additional sheet giving specifics).

Municipal Secretary: Indicate below by checking appropriate boxes which components are being transmitted to the approving agency.

- | | | |
|--|--|---|
| <input checked="" type="checkbox"/> Resolution of Adoption | <input type="checkbox"/> 3 Sewage Collection/Treatment Facilities | <input checked="" type="checkbox"/> 4A Municipal Planning Agency Review |
| <input checked="" type="checkbox"/> Module Completeness Checklist | <input checked="" type="checkbox"/> 3s Small Flow Treatment Facilities | <input checked="" type="checkbox"/> 4B County Planning Agency Review |
| <input type="checkbox"/> 2 Individual and Community Onlot Disposal of Sewage | | <input type="checkbox"/> 4C County or Joint Health Department Review |

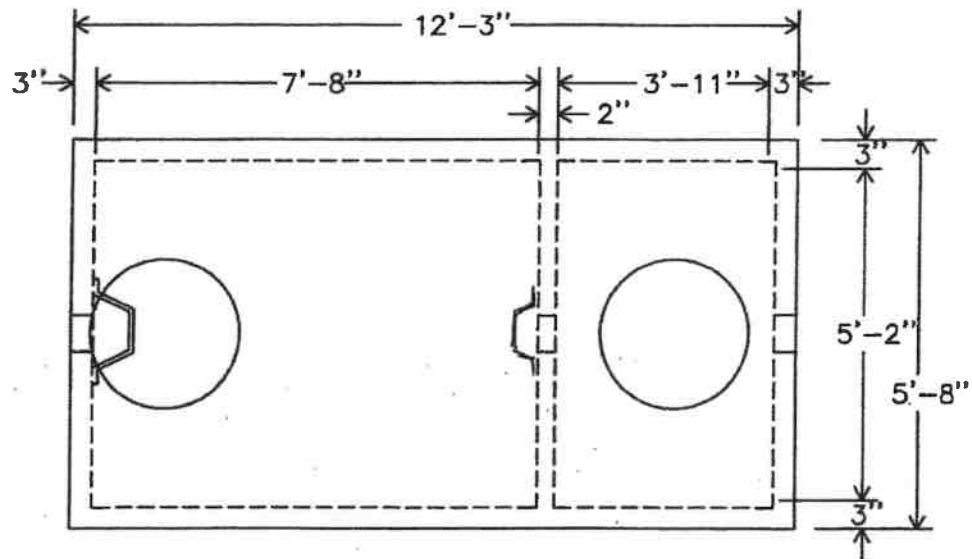
Municipal Secretary (print)

Signature

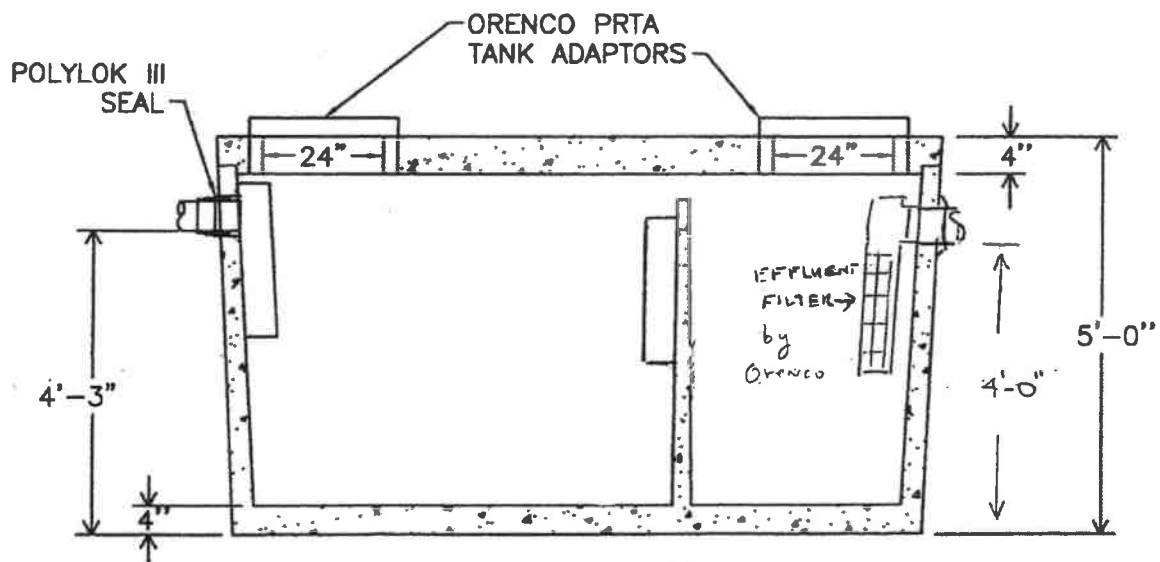
Date



MONARCH PRODUCTS COMPANY, INC.
YORK HAVEN, PA.



-PLAN-



-SECTION-

1500 GALLON 2 COMPARTMENT TREATMENT
TANK FOR ORENCO ADVANTEX UNIT RT UNIT

DWG.
ST-15-2AT



ESTIMATE	#14277
ESTIMATE DATE	Jul 29, 2024
EXPIRATION DATE	Sep 27, 2024
TOTAL	\$1,263.88

Lot 7
Woodshead Terrace
York, PA 17403

CONTACT US

443 W 1st Ave
Parkesburg, PA 19365

 (610) 857-1740
 info@tricowater.com

ESTIMATE

Services	qty	unit price	amount
Maintenance Agreements - Advantex, AX20 Pod & AX20RT - Extended (3 Year Maintenance Agreement)	1.0	\$808.88	\$808.88
<ul style="list-style-type: none">- Perform field sampling (clarity, odor, DO, PH)- Measure sludge and scum within Primary treatment tank- Inspect Orenco control panel (amp draw, corrosion, wiring)- Inspect exterior splice boxes for water and corrosion- Inspect/clean the recirculation pump- Clean and test recirc operating floats- Measure sludge and scum in the Advantex treatment tank- Inspect/clean the Advantex textile screens- Inspect/clean discharge manifold- Inspect absorption area for breakouts and needed repairs- Provide and replace UV lamp- Remote monitor control panel inputs 24hrs day 7days week- Provide annual report to Township- Provide annual report to Orenco- Provide annual report to Owner- Includes service call fee			
<p>Maintenance Agreement Notes:</p> <ul style="list-style-type: none">- Tank pumping/cleaning are to be invoiced as incurred and discussed with the owner prior to completion- Service provider will need access to an outside garden hose connection to complete the annual service- Estimate assumes that panel is connected to analog phone or internet connectivity at all times- Homeowner is responsible for maintaining analog phone or internet connectivity services- Check, Visa, MasterCard, American Express, and Discover accepted- Proof of insurance available upon request- References available upon request			
Maintenance Agreements - Department of Environmental Protection - AMR	1.0	\$455.00	\$455.00

- Complete lab testing with report (BOD, PH, TSS, Fecal Coliform, Nitrogen)
 - Complete DEP AMR form
 - Submit completed AMR form to local DEP office
 - Provide copies to owner for records
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Services subtotal: \$1,263.88

Subtotal	\$1,263.88
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Tax (PA Sales Tax 6%)	\$0.00
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Total	\$1,263.88
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