



April 19, 2021

Benner Township Supervisors  
Attn: Sharon Royer, Secretary/Treasurer  
1224 Buffalo Run Road  
Bellefonte, PA 16823

Re: Act 537 Sewage Facilities Plan Special Study for Proposed Sewer Extension – Shiloh Road  
APS# 1024918, Authorization ID# 1339888  
Benner Township, Centre County

Dear Supervisors:

The Department of Environmental Protection (Department) has completed its review of your above referenced Shiloh Road Act 537 Official Sewage Facilities Plan Special Study (Plan), dated January 2021 and supplemented by additional information, dated April 5, 2021. The Plan was prepared by Gwin Dobson and Foreman Engineers and adopted by Benner Township on January 4, 2021.

The submitted Plan calls for the Spring-Benner-Walker Joint Authority to design, construct, own and operate an extension of public sewage facilities in Benner Township, from Shiloh Road to the University Park Airport, where the new sewage facilities will tie into the existing Spring-Benner-Walker Joint Authority public sewage facilities. The Walnut Grove Estates development and the portions of Rock Road between Shiloh Road and Walnut Grove Estates will also be served by the proposed new public sewage extension.

The submitted Plan is hereby approved as an Act 537 Official Sewage Facilities Plan Update for Benner Township, as it satisfies regulatory requirements, and our review found that it will not cause any significant negative environmental impacts. As provided by the Pennsylvania Sewage Facilities Act, 35 P.S. § 750.1 *et seq.*, and Chapter 71 of the Department's rules and regulations, 25 Pa. Code § 71.1 *et seq.*, the Department will hold both Benner Township and the Spring-Benner-Walker Joint Authority responsible for the complete and timely implementation of the Plan.

The total project cost for the selected structural alternative is estimated at \$3,994,760. The Spring-Benner-Walker Joint Authority, within the Plan, has declared that it intends to utilize cash reserves and bonds to finance this proposal, as the federal planning elements required to qualify this project for PENNVEST or RUS funding were not completed.

Based on the documentation provided in the Plan, a Water Quality Management Permit will be required for the proposed sewer extension. Please contact the Department's Northcentral Regional Office Clean Water Program Permits Section, at 570.321.6560, to further discuss this

matter. You should note that no construction may begin until all the required permits and other authorizations have been obtained.

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.A. § 504. 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 <http://ehb.courtapps.com> 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.**

Should you have any questions, please contact Robert W. Everett III at 570.327.3690 or [roeverett@pa.gov](mailto:roeverett@pa.gov).

Sincerely,



Thomas M. Randis  
Environmental Program Manager  
Clean Water Program

cc: **Spring-Benner-Walker Joint Authority**  
**Gwin Dobson & Foreman Engineers**  
**Bellefonte Borough Authority**  
**Bellefonte Borough**  
**Centre County Planning Commission**  
**Nicholas Hartranft**  
**Daniel Thetford**  
**Robert W. Everett III**  
**File**