

Schuyler County Watershed Protection Agency

Home Page

Staff

Tim Hicks-Watershed Inspector-thicks@stny.rr.com

Originally from Perrysburg, OH, Tim graduated from Bowling Green State University (OH) with a degree in Environmental Science. His professional experience includes internships with both the National Park Service and US Fish and Wildlife Services, AmeriCorps volunteer with Cayuga Conservation Corps, and as the Watershed Resource Specialist with the Schuyler County Soil and Water Conservation District. Additional professional accreditation includes Certified Onsite Training Network Inspector/Installer and Certified Professional in Erosion and Sediment Control (CPESC).

Tim handles program administration, new and replacement wastewater treatment systems, billing, complaints, and regulated facility water quality monitoring for Schuyler County. He can be reached directly at 607-535-2286.

Jim Howell-Watershed Inspector Assistant-jhowell@stny.rr.com

Originally from Lansing, NY, Jim graduated from SUNY Delhi and worked four years with the Tompkins County Department of Health before taking the helm as the Watershed Inspector for Schuyler County. He managed the WPA and Watershed Department for the next 31 years until his recent retirement and transition into the assistant position. Jim also worked as the Watershed Inspector for the Town of Wayne for 25 years.

Jim conducts the real estate property transfer inspections, Lamoka-Waneta Lakes wastewater treatment system inspections and conducts the majority of private water supply water quality monitoring. He can be reached directly at 607-535-2405

Contact Information

Schuyler County Watershed Protection Agency
Rural Urban Center
208 Broadway St. Rm 305
Montour Falls, NY 14865
Phone: (607) 535-2208
Fax: (607) 535-2361
Email: watershed@stny.rr.com

Services and Regulatory Activity (What we do.)

- Onsite Wastewater Treatment System Program - Permitting, Design and Inspections for new and replacement systems
- Real Property Transfer Wastewater Treatment System Inspections and Water Quality Testing
- Lamoka Waneta Lakes Wastewater Treatment System Inspection Program
- Environmental Health Complaint Response and Referral
- Water Well Site Approval
- Water Quality Sampling

Schuyler County WPA has regulatory authority over wastewater treatment systems in the County. The WPA (through its contractual Professional Engineer) provides design and inspection services for most new and replacement wastewater treatment systems.

All real property transfers with a requested inspection (either the buyer, seller, lending institution or attorney) of the wastewater treatment system must be conducted by a representative of the WPA.

The WPA also has complete water quality sampling and monitoring services through our partnership with Eastern Laboratory Services, Ltd., a NY Certified Laboratory for drinking water, wastewater and solid waste. The WPA provides water quality sampling needs for a vast majority of regulated facilities within the County, as well as sampling services for most real estate property transfers, new well construction and some surface water sampling. A courier service provides delivery and pick up to our office Tuesday through Friday, excluding holidays and the day after holidays.

Fee Schedule (see composite fee schedule below in downloadable forms)

About the Watershed Protection Agency

An offshoot of the Schuylers County Watershed Department, created in 1973 by the Schuylers County Legislature, the Watershed Protection Agency (WPA) is an agency within the Public Health and Community Services Agency of Schuylers County. The original Watershed Department was created by the legislature to provide consistent and adequate disposal and treatment of wastewater generated from homes and other facilities not on a public sewer system, providing county-wide consistency, in an effort to protect public health and protect the water quality of our many lakes and streams.

The WPA is charged with the implementation of the Schuylers County Watershed Protection Law, last updated in 1994. In order to best serve the community, the WPA works cooperatively with the NYS Department of Health Hornell District Office, local Code Enforcement Officers, NYS Department of Environmental Conservation, as well as many other local organizations.

While working to maintain and achieve the original objective of 1973, the WPA has grown to also include water quality monitoring services, property transfer inspections, Lamoka-Waneta Lakes Wastewater Treatment Inspection Program, public education and is a valuable local resource for environmental health issues. In addition the WPA responds to general public health nuisance complaints, including but not limited to, garbage and refuse removal, illicit discharges and other offensive materials.

WPA Online Policy and Procedures Handbook (click here)

WPA Downloadable Forms, Brochures and Regulations

- Watershed Protection Law
- WPA Online Handbook (full text but with no hyperlinks)
- Look-a-Like Wastewater Management Law (Lamoka Waneta Wastewater Management Law Tyrone/Orange/Wayne)
- Unofficial Copy of NYS DOH Appendix 75-A
- NYS DOS Fact Sheet (March 2004)
- Composite Fee Schedule
- Wastewater Treatment System Construction Application
- Property Transfer / Refinancing Inspection Request Form
- Acceptance of Conditions
- Approved Sand Sources
- Percolation Test Instructions
- Watershed Protection Law Minimum Lot Size for Single Family Home Development (additional Town regulations may apply)
- Minimum Separation Distances

- Water Well Construction Approval Form

- NYS DEC Well Completion Form
- NYS DOH Appendix 5-B Waiver
- Water Quality Testing Price Sheet
- Shock Disinfection of a Water Well
- NYS DOH – Recommended Residential Water Quality Testing

Schuyler County WPA Online Policy and Procedures Handbook

Introduction

The regulatory framework the Schuyler County Watershed Protection Agency (WPA) derives its *Policy* from is contained wholly or in part from:

- Schuyler County Local Law #3 of the year 1994 – Watershed Protection Law
- Tyrone and Orange Look-a-Like Wastewater Management Law
- NYS Public Health Law NYCRR Title 10
(<http://www.health.state.ny.us/regulations/>)
- NYS DOH Fact Sheet (Onsite Systems - January 13th, 2004)
- NYS Environmental Conservation Law
(<http://www.dec.state.ny.us/website/regs/>)
- NYS Uniform Building Code (<http://www.dos.state.ny.us/about/codes.htm>)

While the Regulatory Authority of the WPA is derived exclusively from the Watershed Protection Law and the Tyrone and Orange Wastewater Management Law, the WPA adheres to and integrates the appropriate local and state regulations in order to better serve Schuyler County residents, protect public health and protect water quality.

In order to better implement the WPA's objectives of protecting public health and protecting water quality, the *Schuyler County WPA Online Policy and Procedures Handbook* has been developed. The *Online Handbook* will be updated as needed in order to present the most up-to-date information available and to better serve the community. However, due to inherent inefficiency of public postings, the official policy and procedures of the WPA may not be completely reflected in the *Online Handbook*.

For most situations, the *Policy* of the WPA is contained within the regulatory framework outlined above. For this reason, the majority of the *Online Handbook* will deal specifically with *Procedures*. However, where appropriate and necessary the specific *Policy* of the WPA has been integrated into the *Online Handbook*. For suggestions on how to improve this *Online Handbook*, please contact the office Monday through Friday or send an email to watershed@stny.rr.com.

For quick reference and ease of use, the *Schuyler County WPA Online Policy and Procedures Handbook* has been divided up into several sections, each pertaining to those activities and services provided through the WPA as they are typically requested by the public. For navigation and access among the various sections, use the *Additional Pertinent Handbook Sections* on the bottom of the page or click the *Online Handbook Table of Contents* on side bar of each page.

Additional assistance in understanding and implementing these *Policy and Procedures* can be provided by contacting the WPA. Prior to contacting the WPA, we encourage you to read through the entire section to help answer any additional questions you may have.

Schuyler County WPA

Table of Contents

Introduction

1. Constructing a new home on land previously undeveloped (also includes non-residential new construction with the need of a wastewater treatment system)
2. Converting an existing home or building from one use to another (includes tearing down and building new, removing a trailer and adding another, etc)
3. Replacing an onsite wastewater treatment system for an existing home
4. Constructing an addition to an existing home
5. Performing a repair to an existing onsite wastewater treatment system
6. Inspection Instructions for Wastewater Treatment System Contractors
7. Real Estate Property Transfers
8. Lamoka Waneta Lakes Wastewater Treatment Inspection Program
9. Requirements for Advanced Treatment Units (Aerobic Treatment Units, etc)
10. Use of a Holding Tank, Composting Toilet or Sanitary Privy (i.e. "outhouse")
11. Developing a Private Water Supply
12. Water Quality Sampling
13. Coliform Bacteria and Drilled Wells

1. **Constructing a new home on land previously undeveloped (also includes non-residential new construction with the need of an onsite wastewater treatment system)**

If your project is likely to use in excess of 1000 gallons of water per day (greater than a 9 bedroom home) or if your construction project is a NYS DOH regulated facility (restaurant, diner, etc) this information does not pertain to you. You will need to hire your own design professional and submit plans for approval to the WPA, NYS DEC and/or NYS DOH. Call the WPA for further directions.

All aspects of NYS DOH Appendix 75-A must be adhered to for new construction. Appendix 75-A regulations are available by clicking [here](#). A waiver from the minimum requirements may only be granted by NYS DOH and only if detailed plans completed by a privately retained design professional have been submitted and approved by both the WPA and NYS DOH Hornell District Office.

Typical Sequence for New Construction*

1. Contact the WPA to schedule a Site Evaluation and to provide the necessary application information.
2. Applicant calls Dig Safely NY, 1-800-962-7962 before you dig, drill or blast.
3. Conduct Site Evaluation with a backhoe/excavator on hand, the applicant or a knowledgeable representative and the WPA Watershed Inspector. **Payment of \$125 due to WPA (Check payable to Schuyler County).**
4. Conduct percolation test if necessary.
5. Preliminary approval provided to Town Code Enforcement Officer to allow the issuance of a Building Permit.
6. Based on information provided in application and the results of the site evaluation, a preliminary design will be drafted.
7. Professional Engineer Design and Approval. **Final payment of \$275 required prior to final Engineering Design and Approval (Check payable to Schuyler County).**
8. Issuance of "Wastewater Treatment System Construction Permit." Valid for one year.
9. See *Inspection Instructions for Contractors* procedures section for additional information during construction.
10. If a new water well is required, see *Developing a Private Water Supply* procedures section.
11. Following final inspection a "Certificate of Approval" is issued to the applicant and forwarded to the Town Code Enforcement Officer. A Notice of Non-Compliance may be issued if one or more aspects of the permit were not followed, but is not typical.

*Typical Sequence listed is only for those lots where minimum lot size and all aspects of Appendix 75-A can be met.

**Due to the difficulty of any particular lot, the WPA may at any time choose to require applicant to hire and retain their own Design Professional. Likewise the applicant may at any to time hire and retain their own Design Professional.

Detailed Policy and Procedure Information

The first step in constructing a new home in Schuyler County with no municipal sewer system is to call the WPA to fill out the application form (available [here](#)) and to schedule a Site Evaluation. There is a need to verify that the existing or proposed lot has met the *minimum lot size requirements*. The Schuyler County minimum lot size for single family home development can be found [here](#), while each Town may have additional requirements. In some situations (such as subdividing a parcel into multiple smaller lots), the determination of meeting the minimum lot size will be made by the WPA following the initial Site Evaluation. If the minimum lot size cannot be met, a waiver from the WPA may be applied for by submitting plans from a design professional at the owner's expense (plan review and permitting fees still apply). The WPA reserves the right to reject any plans submitted by a design professional.

Following or in conjunction with establishing the minimum lot size requirements, a *site evaluation* will be conducted. Payment due at the time of the site evaluation is \$125. A representative of the WPA will meet on site with the applicant (or a representative) and a backhoe/excavator and an operator. The backhoe will be used to dig a *Deep Test Hole* to determine the lots suitability for onsite wastewater treatment and disposal, and determine any restrictive layers such as water table or bedrock. The backhoe must dig the DTH in the presence of the WPA Inspector and must be capable of excavating to a depth of at least seven feet below grade.

If the DTH reveals the possibility of installing a conventional subsurface treatment wastewater system (i.e. **no** clay soils, high water table or shallow bedrock), the applicant will be asked to dig a certain number of percolation test holes to a required specific depth. The process for preparing perc test holes may be found [here](#). The perc test is necessary to determine the required amount of square footage of absorption/treatment area, i.e. the size of the system, for a conventional system.

If the DTH reveals the lot to be unsuitable for a conventional subsurface treatment system (i.e. clay soils, high water table or shallow bedrock), an alternative wastewater treatment system must be utilized for the lot. The WPA has Local Waiver Designs for three different alternative wastewater treatment designs granted by the NYS DOH. They consist of a Raised Fill System, Aerobic Treatment Unit, and a Sand Filter Treatment System.

For lots requiring an alternative system, the WPA will work with the applicant to select the best suited, least expensive system, while still meeting environmental and health standards. The most utilized alternative onsite wastewater treatment system in Schuyler County is the Sand Filter Treatment System.

Following the Site Evaluation, a preliminary design will be drafted by the WPA, based on the results of the DTH, perc test and the information provided in the construction application. However, prior to the issuance of the construction permit and the final Professional Engineer Design and Approval, the final \$275 permit fee must be received by the WPA. Upon receipt of all permit fees, a Wastewater Treatment System Construction Permit may be issued, typically within a two week period of final payment. The permit is valid for one year.

Additional Pertinent Procedure Sections

11. Developing a Water Supply

6. Inspection Instructions for Contractors

2. **Converting an existing home or building from one use to another (includes tearing down and building new, removing an old trailer and installing a new trailer, etc)**

An analysis of the existing wastewater system is required prior to a conversion (see NYS DOH Fact Sheet [here](#)). The WPA has wastewater system records for nearly all homes in Schuyler County, therefore an initial phone call should be made to the WPA as soon as possible in the planning stage for any conversion.

All aspects of NYS DOH Appendix 75-A must be adhered to for conversions. Appendix 75-A regulations are available by clicking [here](#). A waiver from the minimum requirements may only be granted by NYS DOH and only if detailed plans completed by a privately retained design professional have been submitted and approved by both the WPA and NYS DOH Hornell District Office.

For all intensive purposes, the regulations for conversions are identical with the regulations for new construction. The only difference being minimum lot size requirements need not be met. While the regulations may be similar, the existing infrastructure and useable area on a lot can certainly pose a challenge for upgrading a system and can, in some rare cases, negate the possibility for total home replacement. For instance, the wastewater treatment system must maintain a 100 ft minimum separation distance to surface bodies of water, wells and all neighboring wells. If the separation distance can not be achieved as currently installed, mitigation measures must be sought.

The procedure for a conversion is highly variable depending on several factors and will be determined at the discretion of the WPA based on the realities of the land and its infrastructure (wastewater system, well(s), lot size, surface water, etc) and the proposed changes.

A conversion at a minimum will require a site evaluation with the applicant, an inspection of the septic tank during a mandatory tank pumping, and requires a Compliance Certificate to be issued to the Town prior to the issuance of a Building Permit.

A majority of conversions require more modifications and will require anything from a tank upgrade, to additional trench lines, to a whole new system, even a replacement well.

Contact the WPA for more information.

3. Replacing an onsite wastewater treatment system for an existing home

This section is for those homes or facilities that have a failing or under-performing wastewater treatment system and require a new system to be installed. In all situations, a design conforming to all components of Appendix 75-A will be sought and, if reasonable, required. However, due to existing infrastructure, lot constraints, and financial hardship, all requirements in Appendix 75-A may not be achievable. In these cases, the WPA will attempt to issue a construction permit with a sensible and appropriate design within the existing constraints. As with new construction the WPA may require the applicant to hire and retain their own Design Professional. Likewise the applicant may at any to time hire and retain their own Design Professional.

For most replacement systems, in addition to the construction permit, the WPA will require the applicant to sign a local waiver and the release of liability form. The cost for the permit is directly related to the need of a Design Professional and can only be made following the site evaluation.

Typical Sequence for a Replacement System

1. Contact the WPA to schedule a Site Evaluation and to provide the necessary application information.
2. Conduct Site Evaluation. A backhoe/excavator may or may not be required to be on hand, depending on known soil conditions, past system performance and the reason for failure. **Fee Payment Required, tbd.**
3. Conduct percolation test if necessary.
4. Based on information provided in application and the results of the site evaluation, a preliminary design will be drafted.
5. Professional Engineer Design and Approval. Issuance of "Wastewater Treatment System Construction Permit." Valid for one year. **Full Payment must be received prior to issuance of Construction Permit.**
6. See *Inspection Instructions for Contractors* procedures section for additional information during construction.
7. Following final inspection a "Certificate of Completion" is issued to the applicant and forwarded to the Town Code Enforcement Officer. A Notice of Non-Compliance may be issued if one or more aspects of the permit where not followed, but is not typical.

Typically, replacement wastewater systems are neither planned nor expected financially by the owner. Additionally, the need for rapid resolution is often required for the owner as well as general public and environmental health. For these reason's, the WPA responds quickly to replacement wastewater system requests and failure complaints, and the preliminary and final design can often be issued within 2-3 days. If necessary, final payment for the Construction Permit may be distributed over a three month period.

Additional Pertinent Procedure Sections

6. *Inspection Instructions for Contractors*

4. Constructing an addition to an existing home

An analysis of the existing wastewater system is required prior to any addition (see NYS DOH Fact Sheet [here](#)). An addition could be reasonably defined as any modification to an existing structure which would likely increase the potential amount of wastewater generated in the structure. For most situations this would refer to an additional bedroom.

All aspects of NYS DOH Appendix 75-A must be adhered to for an addition. Appendix 75-A regulations are available by [clicking here](#). A waiver from the minimum requirements may only be granted by NYS DOH and only if detailed plans completed by a privately retained design professional have been submitted and approved by both the WPA and NYS DOH Hornell District Office. The WPA reserves the right to reject any plans submitted by a design professional.

The WPA has wastewater treatment system records for nearly all homes in Schuyler County, therefore an initial phone call should be made to the WPA as soon as possible in the planning stage for any home addition.

For all intensive purposes, the regulations for additions are identical with the regulations for new construction. The only difference being minimum lot size requirements need not be met. While the regulations may be similar, the existing infrastructure and useable area on a lot can certainly pose a challenge for upgrading a system and in some very rare cases, could negate the possibility for major home additions. For instance, the wastewater treatment system must maintain a minimum 100 ft separation distance to surface bodies of water, wells and all neighboring wells. If this separation distance can not be achieved as currently installed, mitigation measures must be sought.

The procedure for an addition is highly variable depending on several factors and will be determined at the discretion of the WPA based on the realities of the land and its infrastructure (wastewater system, well(s), lot size, surface water, etc) and the proposed changes.

An addition at a minimum will require a site evaluation with the applicant, an inspection of the septic tank during a mandatory tank pumping, and requires a Compliance Certificate to be issued to the Town prior to issuing a Building Permit.

A majority of additions require more modifications and will require anything from a tank upgrade, to additional trench lines, to a whole new system, even a new well.

Contact the WPA for more information.

5. Performing a repair to an existing onsite wastewater treatment system

A permit is required from the WPA prior to the repair of any component of an onsite wastewater treatment system. A repair can be defined as any replacement, removal or modification of any and all components of an onsite wastewater treatment system. A repair does not include routine maintenance (such as tank pumping, effluent filter cleaning or ATU service maintenance) but does include, although is not limited to, items such as tank replacement, distribution box replacement, house sewer line repair, or additional absorption lines.

Prior to any repair to an onsite wastewater treatment system, an initial phone consultation, followed by a field visit with the owner or a representative of the owner and the WPA should be conducted to evaluate and properly diagnose the nature and need for a system repair permit.

Based on the results of the consultation, a repair permit may be issued (with the permit cost ranging from \$50 to \$225). Following the construction of the repair, all pertinent components must be inspected by the WPA.

Additional Pertinent Procedure Sections

6. Inspection Instructions for Contractors

6. Inspection Instructions for Wastewater Treatment System Contractors

Prior to beginning construction of any repair, replacement or new construction wastewater treatment system, the WPA should be notified by the contractor a minimum of 24 hours before hand, so as to allow better inspection services. Inspections of completed works are typically conducted in the afternoons between 12:30 and 4:00 pm. In an effort to achieve efficiency, the inspector is normally in the east side of the County Monday and Wednesday, the west side on Tuesday and Thursday, and one or the other on Friday.

For those wastewater treatment systems not designed by the WPA, a *county construction permit* is still required prior to beginning construction, and should be available on site in the case of an inspection. For recording purposes and general compliance issues, the OWTS still requires inspection by the WPA prior to backfilling system components. However, the WPA does not “approve” of the construction or authorize the backfilling of said system. Final construction approval and authorization to cover the system must be obtained by the design professional.

For those OWTS designed through the WPA, all aspects of the approved plan shall be followed and all system components must be inspected prior to backfilling.

For **sand filter systems**, only approved sand filter medium may be used. A list of approved sources and specifications may be found here. An inspection of the excavated sand filter pit may be required, prior to the placement of the filter sand, at the discretion of the WPA. Additionally, the weight slips of approved sand filter medium shall be provided to the Inspector at the time of final inspection.

For systems requiring the placement of **fill material** (such as a Raised Fill System, Raised Dispersal Bed, Shallow Trench System, etc) a percolation test shall be done following the placement of the fill material, with a representative of the WPA present to verify the results. A direction for a perc test is available here.

For systems utilizing an approved **Aerobic Treatment Unit** or **Advanced Treatment Unit**, a Service Agreement is required for the life of the system. A copy of the service agreement shall be submitted to the WPA prior to the initial service start up. The WPA shall be notified of any and all service activities for the entire life of the system.

Following a successful final inspection, a “Certificate of Approval” shall be provided to the applicant. In the event of non-compliance (backfilling system components prior to inspection, inadequate construction material, blatant or willful negligence/disregard of the construction permit and design components), all matters of recourse and rectification shall be at the discretion of the WPA.

All ground disturbance activities from construction shall utilize appropriate erosion and sediment control techniques. For those construction activities that disturb 1 or more acres of land (or for areas less than one acre but with direct hydrologic connectivity, i.e. lakefront or streamside) it is required by the NYS DEC to gain coverage under GP 02-01 by developing a Stormwater Pollution Prevention Plan (SWPPP) and filing a Notice of Intent with the state. A copy of the SWPPP shall be made available to the WPA upon request. Additional assistance regarding Stormwater regulations can be found by clicking here <http://www.schuylercounty.us/swcdstorm.htm> and by call the Schuyler County Soil and Water Conservation District at 607-535-9650.

Additional Pertinent Procedures Section

9. Requirements for Advanced Treatment Units

7. Real Estate Property Transfers

The WPA is charged with conducting all onsite wastewater treatment system real estate property transfer and re-financing inspections in Schuyler County. The inspections are required by law, if requested or required by any interested party (buyer, seller, realtor, attorney or lending institution) and must be conducted by the WPA (see Watershed Protection Law Section J here).

Nearly all property transfers will require an inspection (usually as a requirement of the lending institution or the buyer) and because the WPA has records of most OWTS in the County, it is recommended that the listing agent or current owner contact the WPA prior to or in conjunction with listing a home on the market.

The preferred method of contact would be to complete the "Real Estate Property Transfer or Refinancing Inspection Request Form" (available here) and the "Acceptance of Conditions Form" (available here) and fax or email the completed forms to the WPA. A WPA Inspector will then call the contact at the listed phone number at their earliest possible convenience, usually the same day or following morning.

In addition to the Wastewater Treatment System Inspections, the WPA also provides water quality sampling services, water flow test and radon in air or water testing. The fees are determined using the composite fee schedule (available here).

Typical sequence* for a real estate property transfer inspection request:

1. Owner, or a representative of the owner, completes and returns the "Real Estate Property Transfer or Refinancing Inspection Request Form" and the "Acceptance of Conditions Form", or calls the WPA with all the necessary information.
2. Review available information on file with WPA and schedule an appointment with a WPA Inspector.
3. Conduct initial inspection of property. Initial inspection typically consists of administering a dye test, visual inspection of all indoor plumbing fixtures, and if requested collecting a water sample and conducting a flow test.
4. Schedule a licensed Septic Hauler to meet with a WPA inspector on site to pump the septic tank minimum 2 days following initial inspection.
WPA inspector must witness the tank pumping.
5. WPA inspector conducts follow-up inspection, witnessing the septic tank pumping and further assesses the absorption component.
6. Schuyler WPA shall receive payment for all services prior to issuing any reports, if possible.
7. Upon completion of inspection and receiving payment, a "Certificate of Compliance" may be issued. Otherwise, a "Compliance Agreement" shall be established and agreed upon by all interested parties to bring the OWTS into compliance per the standards of the WPA.

*typical sequence is highly variable and modifications may be required by the WPA for any number of situations, such as, but not limited to, property currently being vacant, known system deficiencies, utilization of seepage pits, payment schedule etc. See additional information below.

Additional Real Estate Property Transfer Information

For the purposes of Real Estate Property Transfer OWTS Inspection, the WPA "Certificate of Compliance" implies that the system appears to be in sound working order at the time of the inspection. The "Certificate of Compliance" should in no way describe or imply the condition, integrity, construction or continued satisfactory use of any component(s) of the wastewater system. Any increase in wastewater generation may cause system failure.

An accurate and useful onsite wastewater treatment system inspection is only possible under normal hydraulic loading conditions. Therefore for properties which are unoccupied at the time of inspection, it is recommended that an interest bearing escrow account be established for an agreed upon estimated cost for a potential replacement/repair system (typically \$5,000 to \$10,000). Following re-occupancy (at a time period determined by the WPA), the inspection shall be conducted and a "Certificate of Compliance" or a "Compliance Agreement" shall be issued. Furthermore, this process may need to be implemented if the property is occupied but the OWTS is covered by a blanket of snow preventing an accurate visible inspection of the absorption/filtration area.

The septic tank must be within 250 gallons of the minimum state standards and must be structurally sound. For instance, the minimum tank size for a 3 bedroom home is 1000 gallons. If the 3 bedroom home being inspected currently has a 500 gallon tank, additional tank volume is required (adding in sequence or installing new) and will be included in the "Compliance Agreement." Any cracks, leaks, missing baffles, corroded steel septic tanks or other tank integrity issues **must** be corrected as per the "Compliance Agreement."

For properties which utilize a seepage pit, the seepage pit must be located, uncovered and available for inspection by the WPA, ideally during the second inspection visit.

Sand filter systems with a direct surface discharge line shall require enhancements at the discretion of the WPA Inspector and shall be included in the "Compliance Agreement." For these situations, the "Compliance Agreement" and associated design will incorporate existing system components when at all possible, and shall attempt a design with the least amount of financial expenditure possible.

All necessary permits (as required by the "Compliance Agreement") and permit fees shall be paid in full prior to the issuance of said permits, and shall follow the same procedures and fees as all other WPA activities.

The flow test utilized by the WPA consists of establishing a constant flow of 5 gpm for an interval of 30 minutes (or an amount and duration agreed upon by the parties involved). If this flow is not achieved, the WPA will attempt to gauge that flow which can be sustained for a 30 minute interval by the existing water supply, and will make the results known to any interested party. No indication of actual well yield is implied with this reporting by the WPA.

Additional Pertinent Sections

3. Replacing an onsite wastewater treatment system for an existing home

5. Performing a repair to an existing onsite wastewater treatment system

12. Water Quality Sampling

8. Lamoka Waneta Lakes Wastewater Treatment Inspection Program

Background

In the summer of 2006 the Towns of Tyrone, Orange and Wayne all passed look-a-like wastewater management laws (Tyrone version available by clicking [here](#)) in an effort to address excess nutrient loading and under performing OWTS on Lamoka and Waneta Lakes. These local laws establish mandatory minimum standards and maintenance requirements for onsite wastewater treatment systems on properties with access or deeded lake access (i.e. those properties within the Lamoka Waneta Lakes Water Quality Improvement District).

These laws are the result of a largely grassroots effort by lake front property owners, the Lamoka Waneta Lakes Association and the Schuyler County Water Quality Coordinating Committee, to require all property owners to do their part to ensure the water quality of their shared resource.

As this is a new regulation impacting existing real property infrastructure, a certain amount of unease and uncertainty is to be expected from affected property owners. However, taking the time to obtain all of the facts and to understand the reasoning behind the regulation can go a long way in assuaging the apprehension one may feel.

The WPA is charged with conducting and implementing the Lamoka Waneta Lakes Wastewater Treatment System Inspection Program. This office handles all inspections in the Towns of Tyrone and Orange, while the Town of Wayne Watershed Inspector handles those inspections in the Town of Wayne (office telephone number – 607-292-3259). All questions regarding this program should be directed to Tim Hicks at 607-535-2286, while all interviews and inspection scheduling questions should be directed to Jim Howell, 607-535-2405 (Tyrone and Orange properties) or Wilbur Dowdle, 607-292-3259, (Wayne).

Typical sequence* for a LW Inspection:

1. Listed property owner receives a letter from WPA (or Town of Wayne) and contacts Inspector promptly (preferably within 10 working days).
2. Inspector reviews available information on file and discuss any known system history. Ascertain any system deficiencies if appropriate and/or known.
3. Schedule a licensed Septic Hauler/Contractor to meet with the Inspector on site to pump the septic tank during normal working hours. **WPA inspector must witness the tank pumping.**
4. WPA inspector conducts inspection, witnessing the septic tank pumping and assesses absorption component. Distribution box and/or seepage pit need only be uncovered if a problem is suspected.
5. Upon completion of inspection, either a "Certificate to Operate" will be issued, or a Minor/Major Failure will have been documented. Any failure will require a "Compliance Agreement" as well as any pertinent permits.

*typical sequence is highly variable and is provided for general quick reference only. See additional information below and/or contact the WPA.

Additional LW Inspection Information

No fee is required for the LW Inspection. However all costs associated with locating, uncovering and pumping the septic tank, as well as any system repairs, upgrades

and replacement components (including applicable permit and design fees) are the responsibility of the landowner.

As per the local law all OWTS within the regulated area shall be inspected by the appropriate Inspector a minimum of once every five years, on a cyclical basis. Correspondence will be initiated by the WPA (or Town of Wayne) via a letter to the listed property owner. Upon receipt of the letter, the property owner is requested to contact the Inspector within ten working days, or as soon as possible.

Property transfer inspections shall constitute a LW Lake Inspection (i.e. restart the minimum five year cycle), however, a recent LW Inspection may not be adequate for a real estate property transfer.

Any routine maintenance, such as septic tank pumping, which is coordinated by a landowner will not constitute a LW Inspection if the Inspector is not present. If a landowner plans on having their septic tank pumped for any reason, it is highly encouraged to contact the Inspector so as to schedule their LW Inspection at the time of their pumping to re-establish a new pumping cycle.

At the point of contact with the Inspector, a review of all system components on file will be reviewed. Additionally any pertinent property and system use details by the property owner should be discussed.

Following the initial contact, and if no *known* system deficiency's exist, the landowner shall contact a licensed DEC waste hauler to schedule an appointment with the inspector and a hauler. It is strongly encouraged that the owner or their representative be present. If requested by the inspector, access shall be granted to view all indoor plumbing fixtures.

At the time of the inspection, the Inspector must be present to witness the tank pumping. The distribution box and/or seepage pit shall only be required to be uncovered if a problem is suspected.

Following the inspection, a "Certificate to Operate" will be issued if the wastewater treatment system appears to be in full compliance with the local Wastewater Management Law. In the event of either a *Minor or Major Failure* a "Compliance Agreement" outlining required corrective actions will be issued.

Examples of minor failures include, but are not limited to, use of corroded metal tanks, metal pump tanks, undersized septic tanks, missing baffles and other tank integrity issues. Additionally, for all LW Inspections the septic tank must be within 250 gallons of the minimum state standards and must be structurally sound. For instance, the minimum tank size for a 3 bedroom home is 1000 gallons. If a 3 bedroom home being inspected currently has a 500 gallon tank, additional tank volume is required (adding in sequence or installing new) and will be included in the "Compliance Agreement." Any cracks, leaks, missing baffles, corroded steel septic tanks or other tank integrity issues **must** be corrected as per the "Compliance Agreement" within the time period specified.

Major failures include those situations involving the direct discharge of untreated sewage into ground or surface waters constituting a public health concern, and must be corrected and/or eliminated immediately, or as soon as possible.

All aspects of NYS DOH regulations, Schuyler County Watershed Protection Law and other pertinent rules and regulations still apply.

Additional Pertinent Sections

3. Replacing an onsite wastewater treatment system for an existing home

5. Performing a repair to an existing onsite wastewater treatment system

9. Requirements for Advanced Treatment Units (Aerobic Treatment Units, etc)

The use of an Advanced Treatment Unit, such as Aerobic Treatment Units, Microbial Inoculators, Peat and Textile Filters, etc., is permissible for use in Schuyler County provided they meet the following conditions:

- Designed and approved by a licensed design professional
- Have met NSF Class 1 (Standard 40) Certification Criteria
- Have been approved for use in NYS by the NYS DOH
- Have been approved for use by the WPA
- Have and maintain a service agreement with manufacture approved representative for the life of the unit
- Has an audio and visual warning device alerting the occupants of failure or malfunction
- Has no surface discharge

A copy of the service agreement shall be submitted to the WPA prior to the initial service start up. The WPA shall be notified of any and all service activities for the entire life of the system, irregardless of system or property ownership, and such information must be provided to the WPA upon request.

The use of an approved ATU does afford a considerable amount of treatment of the wastewater generated. However, it does not eliminate the water generated and therefore an acceptable means of ATU effluent dispersal is still required. All minimum separation distances, NYS DOH and County Watershed regulations still apply.

10. Use of a Holding Tank, Composting Toilet or Sanitary Privy (i.e. "outhouse")

The use of a holding tank is never acceptable for new construction. A holding tank may only be utilized in lieu of establishing an acceptable replacement wastewater treatment system for an existing permanent structure. The definition of an acceptable replacement wastewater treatment system shall be determined by the WPA following a site evaluation, and shall take into account all available information including existing and anticipated water usage, existing infrastructure (such as dwelling, roadways, water wells, etc), environmental limitations (soil, surface and ground water) and available financial resources.

Additionally, the installation of a holding tank is permissible for non-permanent/transient structures, such as an RV unit. For non-permanent/transient structures utilizing a holding tank, the owner must be able to show proof of NYS DMV registration on an annual basis. Proper abandonment of the holding tank requires notification to the WPA and must be filled with clean fill material within ten days.

In all situations, the installation of a holding tank requires a permit from the WPA, must be watertight, must meet certain minimum volume requirements, must have an audio and visual high water alarm and must, if possible, meet all other minimum separation distances (see Watershed Protection Law Article II, Section N here). Contact the WPA for more information. Additional restrictions may apply.

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The use of a composting toilet is allowable in Schuyler County provided it meet the following conditions:

- Approval granted by WPA
- Meet the minimum standards in Appendix 75-A for composters
- Unit has met NSF Standard 41 or equivalent
- Installed according to manufacturers recommendations
- Access Is made available to the WPA for inspections upon request

Additionally, the use of a composting toilet does not eliminate the need for disposal and treatment of grey water (i.e. wash water from sinks, dishwashers and washing machines). Grey water systems shall be designed according to Appendix 75-A and shall be designed upon a flow of 75 gpd per bedroom while meeting all other requirements of Appendix 75-A and the Schuyler County Watershed Protection Law.

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The use of a sanitary privy (ie "outhouse") is only acceptable for structures or dwellings occasionally inhabited (such as a seasonal hunting camp) and only if the structure has no electricity and no water under pressure. Additionally, the construction of the sanitary privy must be sighted and approved by the WPA, and must be water tight (often referred to as a vault privy). An evaluation must be conducted with the owner and a WPA Inspector, a construction permit must be issued and meet all minimum separation distances as described previously. Any sanitary privy shall be constructed with vermin and insect protection. At the point that electricity and water are made available to said structure, the sanitary privy shall be properly abandoned and a WPA approved Onsite Wastewater Treatment System shall be installed.

11. Developing a Private Water Supply

The construction and development of a private water supply is regulated through NYS Public Health Law Appendix 5-B (available here at <http://www.health.state.ny.us/nysdoh/water/part5/appendix5b.htm>). Additionally, approval of the location of a well from a groundwater source is required from the WPA. Approval of the location shall be made in the field with a representative of the owner and the WPA utilizing the prescribed *WPA Water Well Construction Form* (available here).

Failure to establish a location for a water supply that appears to meet the requirements of Appendix 5-B shall require a waiver from the NYS DOH Hornell District Field Office (using the waiver form found here.)

Following the construction of the well, the *Water Well Construction Form* shall be signed by the Well Driller and returned to the WPA, along with a copy of *the Well Drillers DEC Well Completion Report*, sometimes referred to as the well log (available here). It is recommended that the owner retain for their records a copy of the *DEC Well Completion Report*, as it can be a valuable tool if any future water quality or quantity issues arise.

Prior to the use of the well for consumptive purposes, it is recommended (required if new construction per NYS Uniform Building Code regulations) that the water be tested to verify potability as a water source. This should be done after shock disinfection of the well (procedure for shock disinfection is available here), when chlorine is no longer present in the water. Sampling services are available with the WPA. See the Water Quality Sampling section of the Online Handbook.

A fee shall be assessed for well site approval. For a replacement well site approval, the fee shall include the collection fee for one standard bacteriological presence/absence analysis.

Additional Pertinent Sections

13. Coliform Bacteria and Drilled Wells

12. Water Quality Sampling

12. Water Quality Sampling

If you are a home owner (newly built or recently purchased) and would like to have your private well water tested, contact the WPA. Options can be determined based on potential environmental concerns, with options ranging from standard *Biological Analysis* to the *Homeowners Package* (the water price list can be found here). The NYS DOH Fact Sheet #3 “Individual Water Supply Wells – Recommended Residential Water Quality Testing” can be found here.

The WPA has complete water quality sampling and monitoring services through our partnership with Eastern Laboratory Services, Ltd., a NY Certified Laboratory.

The WPA provides water quality sampling services for a vast majority of regulated facilities within the County, as well as sampling services for most real estate property transfers, new well construction and some surface water sampling. A courier service provides delivery and pick up to our office Tuesday through Friday, excluding holidays and the day after holidays.

For all bacteriological samples delivered to the WPA, in order to ensure courier pick-up within the required retention time, the samples should be received at the WPA by 9:00 am, Tuesday – Friday. **Unless prior arrangements have been made, water samples should NEVER be delivered to the WPA on Monday’s (or the day after a federal holiday) before 2:00 pm or on Friday’s after 9:00 am.**

Our list price for water quality parameters and collection, handling or processing fees for our most common parameters can be found here. Rates for additional parameters not found on the price sheet may be obtained by contacting the WPA.

All samples are typically collected by a representative of the WPA in the field, normally in the afternoon. Contact the WPA to schedule a water sampling appointment.

Additional Pertinent Sections

13. Coliform Bacteria and Drilled Wells

11. Developing a Private Water Supply

13. Coliform Bacteria and Drilled Wells*

A properly constructed and adequately cased drilled water well usually obtains its water at a depth where coliform bacteria are not present. All water in ponds, streams, and rainwater running over the ground surface contains harmful bacteria, viruses, and other organisms. These organisms die or are filtered out as water moves through the subsurface ground water environment. However, groundwater can be contaminated when there is insufficient filtration or travel time between the land surface and the ground water, such as inadequate separation distances from the well to sewage systems and other pollution sources. Some of the common ways in which bacteria can get into a well are as follows:

1. The pitless adapter can leak or the well casing can become cracked. Visually inspect the interior of the casing on a regular basis to make sure there are no cracks or leaks present.
2. Over time well casings may rust through, leaving holes near the ground surface where water can seep in and contaminate deeper ground water.
3. Surface water could enter the top of the well if the casing does not extend far enough above the ground. Consider extending the casing to at least 24" above the ground surface.
4. A well cap that is not water tight or vermin proof can be an entry point for contamination.
5. Bacteria can be introduced into a well when it is drilled, or when a pump is installed or serviced. Water wells should be sanitized after any service or installation work. See the Shock Disinfection of a Water Well section of the Online Handbook.
6. Unsealed abandoned water wells can directly channel contaminated surface water into groundwater.
7. Backflow can occur if water systems are not installed with properly functioning backflow prevention devices. Backflow prevention devices are essential to prevent any risk of bacteria being siphoned back into the well. For example, installation of an atmospheric vacuum breaker on each outside faucet will provide backflow protection if the end of a hose is accidentally submerged in material that could contaminate a well, such as lawn fertilizers, herbicides, swimming pools, or puddles.
8. Surface water and insects can easily enter the well through a poorly constructed or unsecured well cap. Several types of common well covers are not vermin proof. Look to make sure that the electrical conduit (where the wires enter the well) is sealed and the gasket around the well is tight and intact, so that when the cover is bolted down the gasket will be pushing into the well's casing. The well cover should include a downward facing screened vent that serves to prevent a vacuum forming within the well. Also make sure that bolts or screws are not missing from the well cover.

Homeowners should test their well water annually for coliform bacteria. Although most coliforms are harmless, they are an indication that disease-causing bacteria, viruses, or protozoa may be present in the drinking water. Sampling services are available through the WPA, see the Water Quality Sampling section of the Online Handbook.

If coliform bacteria are detected in your drinking water, the WPA recommends making sure that the well is in good condition and shock disinfecting the well before collecting another water sample (directions for shock disinfection can be found here). Contact the WPA for assistance and advice.

*adapted from Tompkins County Health Department, "Coliform Bacteria and Your Drilled Well"

Additional Pertinent Sections

13. Coliform Bacteria and Drilled Wells

11. Developing a Private Water Supply