

TO: Suffolk County Health Department Committee on Article Six
FROM: Long Island Builders Institute
RE: Further Comments on Draft Article Six Recommendations

The Long Island Builders Institute would like to make the following additional comments with regard to current recommendations for revisions to Article Six relating to septic systems and the installation of new I/A systems. These comments are in addition to comments dated March 31, 2017 and previously sent to the committee.

1. The current proposal to exempt residential lots which has either a cesspool or septic system which fails to work correctly after January 1, 2018 to be required to install a new I/A system is inexplicable and defeats the entire purpose of significantly reducing the amount of nitrogen which goes into the ground in any coordinated or comprehensive basis. Residential lots which have a failing cesspool or septic system are the current areas which have the most amount of nitrogen going into the ground since their systems have failed and we know that they have failed to meet even the standards which have been in place for many years. By not requiring these lots to replace their failed cesspool or septic system with a new I/A system would allow these lots to continue to put excessive nitrogen into the ground for many years because any replacement system which is not an I/A system does not perform as well as the new I/A systems and will only continue to allow for excessive nitrogen. If one does not require these lots to install a new system, the county is basically saying that it is sufficient for these lots which cause the greatest amount of nitrogen to go into the ground to continue to put a far higher amount of nitrogen to go into the ground than would occur with a new I/A system. Over 5,000 to 9,000 systems fail each year according to the county health department and these are lots located in areas which are in dire need of rehabilitation since excessive nitrogen loading has obviously taken place since their antiquated systems have failed to meet the old standards, let alone the new standards. If we exempt these lots, the county is basically saying that it is accepting continued excessive nitrogen loading in these areas of the county for the next twenty to thirty years, which does not meet the public policy needs of the county and causes these areas to be far behind other areas of the county in accomplishing nitrogen reduction.
2. It is unreasonable to require all new homes to be installed with new I/A systems in all areas of the county where no excessive nitrogen has gone into the ground while at the same time exempting those residential lots which have current systems which have failed to perform and thus caused excessive nitrogen to go into the ground. Since Suffolk County is currently conducting a significant study to determine the areas of the county which are environmentally significant with regard to nitrogen pollution, it is clear that this report should form the basis for a delineation of areas in which a phase in of both new construction and remediation mandates should be required. An approach which focuses county resources and staff on the highest priority areas first should be and will be the most effective approach to solving this problem. The sub watershed wastewater plan is an integral part of this approach and should be used to delineate those areas which are in dire need of immediate protection and then used to determine how best to move the requirements to other areas of the county. In this way, all of the stakeholders can determine the answers to the following issues which will be faced by all involved in these matters:



- a. What county resources are necessary to implement the program
 - b. What staffing requirements will the county face to ensure that all county and town permits for the implementation of the new I/A systems can take place within a seven day period from application to approval
 - c. What is the actual cost of the implementation of any specific system, including all permit and ancillary inspections needed for the system to be operated correctly
 - d. How will homeowners operate and maintain the systems involved since the new systems are considered sewage treatment plants and require new mechanical and electrical equipment which the homeowner has not been required to have installed or maintained in the past
 - e. How will the new licensed operators, installers and maintainers conduct themselves with new systems which have not been licensed before by the county and will there be enough licensed installers and operators to meet the demand
 - f. How will the manufacturers of the new systems be able to meet the new demands for the systems in the environment of Suffolk County
 - g. How will the systems operate in a time of a power outage and should homeowners be required to also install a gravity based system or a power generator
 - h. What are the warranty issues involved in the installation and maintenance of the systems
 - i. What are the actual nitrogen loading findings from the actual operation of the systems
 - j. Can professional certification of engineers and architects be used by the county to assist the health department in the inspection and granting of permits
3. In addition to these issues, LIBI believes that the cost of installation and maintenance of the new I/A systems will be significantly higher than currently envisioned by the county. The steps necessary to install a new I/A system will include the following:
- a. New survey of the property
 - b. Install new test hole for soil conditions and dept. to groundwater
 - c. Engage with engineer to prepare new site plan
 - d. File a new permit application with health department
 - e. File with town for new electrical and plumbing permits
 - f. Engage with installer for installation of new I/A systems
 - g. Engage with licensed plumber to install new interior plumbing lines
 - h. Engage with licensed electrician for new electrical lines
 - i. Remove existing septic system
 - j. Engage with licensed engineer to certify removal of existing system
 - k. Installation of new I/A system
 - l. Engage with licensed plumber to install new interior water lines
 - m. Engage with town plumbing inspector to inspect new interior plumbing lines
 - n. Engage with licensed electrician to install new wire systems
 - o. Inspection of new electrical system by town or county

- p. Inspection of installation of new system by county health department
- q. Obtain new town certificates for electrical and plumbing systems
- r. Obtain new certificate of occupancy from town
- s. Engage engineer to draw “as built” system
- t. File all materials to receive final health department approval
- u. Restore all interior and exterior renovations
- v. Annual maintenance and testing requirements

It is estimated by our builders that the cost of such requirements, in addition to the cost of the installation of the I/A system itself, will be between \$31,000 and \$33,000, thus significantly increasing the cost to the homeowners involved.

The Long Island Builders Institute strongly believes in the reduction of nitrogen into our ground. However, we do not believe that the current draft regulations, by requiring all new home construction in all areas of the county to install the new systems and exempting all lots which have failures of currently installed systems from installing the new systems, will make any difference in the amount of nitrogen going into the ground. It is necessary to provide new requirements in the most environmentally sensitive areas and to require all replacement systems for failures to be new systems which meet the new standards. Only in this way will a meaningful attempt at nitrogen reduction actually be achieved.