

Protecting the Lakes

A problem-solving approach to onsite regulation in Schuyler County, N.Y.

Jim Howell, assistant watershed inspector with the county Watershed Protection Agency, discusses on-site systems with the author for routine inspections. The author required verbal approval from the representative before any work was necessary.

Department of Health to administer 75A of the Public Health Law, Schuyler County has opted into the program and has taken the state-envisioned steps beyond that service," Hicks says. He points out that his predecessor and current colleague, Jim Howell, started the WPA on its entrepreneurial path. The county offers all onsite system permit applicants access to an in-house design service. However, no obligation to use the WPA's designer, "There is, however, no obligation to use the WPA's designer," Hicks says. Landowners who choose the service can prepare a system design using site-specific soil information that Hicks and Howell acquire at the site-evaluation stage. "This service is competitive with other counties that offer the same service," Hicks says. "The unique characteristics of the county in 1973 adopted watershed law that formally entered all wastewater-related administration from the state to the county health department. The WPA is a component of that department. The law was amended in 1993, and those amendments created a new right for purchasers of property or mortgage lender chooses, they can request a WPA inspection of the onsite system," Hicks says. "The seller cannot refuse the inspection." The WPA is the only recognized inspection agency. Hicks estimates that half of eligible real estate transactions are run through the inspection process, a fee-supported service. Three towns in the county front on lakes even more fragile than Seneca, and each has lakefront properties served by onsite systems. All these towns require periodic inspections for all systems and have delegated enforcement to the WPA. In addition to Hicks and Howell, the WPA has two part-time administrative support employees, Mary Kelly and Lois Hubbel. As a team they also address water well issues and respond to a variety of inquiries from the public.

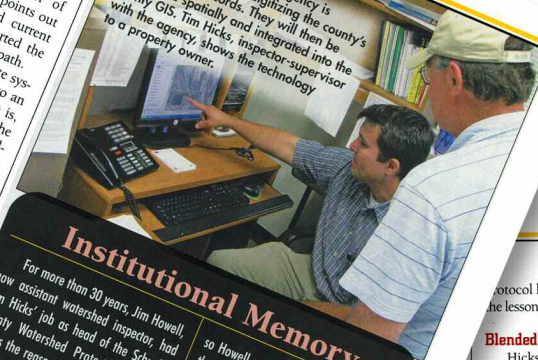
making to recreational resources are well managed and protected. Like the roads, restaurants and everything else, the wastewater collection and treatment infrastructure must handle the spike in people during the early years of the 21st century. Hicks' agency issues about 100 permits for complete onsite system installations each year, of which about 10 are replacements for various component repairs are issued in a typical year as well.

Fine-tuning the law
New York's Public Health Law is the empowering legislation that enables counties to opt in or opt out of various public health programs. Programs from which counties opt out are left to the New York State

Creative problem-solving
A few examples illustrate how the

with no ready-made regulatory solutions. Hicks is now working with a commercial distiller to find a solution for the onsite treatment and management of nonsewage wastewater. As an interim measure, the operation will be served by holding tanks. Because no local treatment plant accepts this type of waste, the water regulations do not address onsite disposal of such material, so Hicks and the developer's engineer are seeking ways to treat the wastewater adequately and then return it to the environment through the wastewater treatment plant. Most lakefront residential properties bring different challenges. "Most lakefront properties have allocated the entire useful surface area of the property,"

The Watershed Protection Agency is beginning the task of digitizing the county's onsite system records. They will then be referenced spatially and integrated into the county GIS. Jim Hicks, inspector-supervisor with the agency, shows the technology to a property owner.



Institutional Memory

For more than 30 years, Jim Howell, now assistant watershed inspector, had Tim Hicks' job as head of the Schuyler County Watershed Protection Agency. "Jim is the reason the WPA has pursued the entrepreneurial role so effectively," says Hicks.

Long before the State University of New York at Delhi started training onsite system inspectors, Howell was inspecting systems in fulfillment of the county's 1993 Watershed Law Amendments. In 1993, very little was written about inspections, management, monitoring or maintenance,

so Howell relied on what he had to get the program going: experience. "Jim and I have learned a great deal about systems from a variety of deal and we have incorporated much of what we learned into the inspection protocol NOWRA, Hicks and Howell rub elbows with all sectors of the onsite industry. Hicks says his entrepreneurial vision is "built upon the sound foundation of value-added services Jim Howell has introduced to the community through the WPA."

Hicks says, "If it is not paved, decked, under a house or too close to a well or the waterline, it is often occupied by the onsite system."

He offers two examples where his office helped define and implement suitable solutions. The management program at Wanta Lake identified an absorption area that was overwhelmed and discharging to the surface. With no unused land available, the only spot to consider was at the site of the failed absorption area. An in situ repair was proposed. "The solution we permitted required the excavation of the existing aggregate absorption area and the placement of a suitable sandy loam material," Hicks says. "We installed Geotextile Sand Filter (GSF) from Eljen Corporation and placed a sandy loam backfill to cover those units. The entire installation

protocol has been refined to include the lessons we've learned," Hicks says.

Blended roles

Hicks and the county government have augmented the traditional permit-related regulator role with a new program that manages existing systems, and they have created an expanded menu of optional services to the public. An inspection service for homebuyers and lenders has found problem systems, which are then repaired. One outcome is the confidence buyers have in the onsite system they will depend on.

Hicks pursued the job because "I felt it offered variety and opportunities for growth." As the WPA's service menu grows, so does Hicks' involvement with the public and with the onsite industry. The WPA has blended into the community and the onsite industry, and Hicks believes both are better for it.

There will always be an explicit regulatory role for the agency and, if Hicks' vision comes to fruition, there will be an equally well-defined entrepreneurial role for the agency as a part of the industry. ■

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Replacement systems often require innovative design components. This replacement system, serving two cottages totaling four bedrooms, consists of a 1,500-gallon dual-compartment septic tank, a 500-gallon pump tank, and a shallow absorption bed system using a prefabricated gravelless system, manufactured by Eljen Corp.



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to the... there was... inches to remove any soil... by cars being parked on the area. Gravelless chambers were installed and an aggregate backfill was placed. Topsoil was then placed. Another house off the water had two separate systems serving different portions of the flow. Both had undersized tanks. When the tanks were pumped for the first time in anyone's memory (at least 40 years), both experienced run-back. Neither was in violation. The occupant, an elderly woman, wanted a consolidated replacement system. After getting prices to do the installation, she chose not to install the system. Instead, she