



For Immediate Release

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Suffolk County's Dirty Sewage Secret "Grandfathering" Known Pollution Sources Violates State Clean Water Standards

Sag Harbor - DefendH2O is calling on Suffolk County to cease the practice of "grandfathering" (perpetuating) deficient wastewater treatment for commercial development. Nitrogen loadings coming from antiquated septic disposal systems is a serious threat to water quality. Regretfully, Suffolk officials are turning a blind eye to some of the larger contributors. The Health Department's internal policy has allowed restaurant expansions and redevelopment to occur without meeting state sewage treatment standards.

New York State Department of Environmental Conservation (NYSDEC) wastewater effluent standards set the bar. Suffolk County, an agent for NYSDEC **may not** adopt standards less stringent than the New York. Per NYSDEC: effluent nitrogen must be less than 10 mg/L for discharges greater than 1,000 gallons per day (gpd). Suffolk's code (Appendix A) includes a consistent standard (total nitrogen in effluent stream cannot exceed 10 mg/L), but it's often not being administered.

For example: A 1960's-era motel situated on 2.8 acres of waterfront was completely removed and replaced by a 23-unit condominium complex. While the projected sanitary flow of 6,300 gpd is substantially greater than the 1,000 gpd regulatory threshold, a total redevelopment was allowed without requiring advanced sewage treatment. The kicker, it's based on 1965 conditions under the auspices of grandfathering. Additional examples of grandfathering can be provided upon request.

Based on the laws, regulations and communications with county and state officials, DefendH2O contends that grandfathering is a regulatory deviation not supported by law. "This issue has been brought to the attention of county administrators and the Legislature without a response. "There is no enabling legislation that allows the Health Department or the Board of Review, discretionary enforcement of state-directed water quality standards. Enough sidestepping the issue, grandfathering is a contradiction to water protection efforts and it has to end without delay." Kevin McAllister said.

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