

2088 NEWSLETTER

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WATER COMMISSION ISSUES FINDINGS AND RECOMMENDATIONS

The first progress report of the NYS Legislative Commission on Water Resource Needs of Long Island identifies regional management, land use, watershed protection, and environmental testing as major concerns and needs. Chaired by Assemblywoman May Newburger and Senator Caesar Trunzo, the Commission has been directed to evaluate problems, propose administrative and legislative remedies, and identify uncontaminated water sources. The following is a summary of the major recommendations of the Commission.

- that regional management of the water resources be the basis for future groundwater protection and extraction decisions and that regional planning include Kings and Queens Counties in addition to Nassau and Suffolk.
- that municipal and industrial landfills be prohibited in Water Quality Management Zones I, II, and III; that all existing landfills in these zones be properly vented, capped, and closed; and that all landfills outside these zones which fail to meet standards be replaced with environmentally secure landfills.
- that protection and management of primary recharge areas is one of the best approaches to insuring the highest quality and quantity of groundwater; that a watershed management area be created for Zone III; that strong land-use management initiatives be employed in northern Nassau to preserve open space; and that a NYS Pine Barrens National Reserve be established as the most efficient and cost-effective means of protecting and managing this critical watershed area.

- that the State reverse its policy of diminishing funding to the Nassau and Suffolk County environmental testing laboratories; that the State establish a regional laboratory to provide quality control for testing done by the county labs and to handle any crisis testing that may arise; and that the State coordinate testing and recording practices of the county labs.

In addition, the Commission cites the need for a general education program directed to the public and the schools. It also calls for further study of such important concerns as pesticide contamination of groundwater, incineration of sludge, source separation of refuse, and funding for the State permit system program.

ARTICLE 6 STIRS CONTROVERSY

In an attempt to prevent groundwater pollution in key water quality management zones, the Suffolk County Board of Health recently enacted Article 6 of the Suffolk County Sanitary Code which sets minimum lot size standards for residential sewage disposal. The regulations, which apply to Zones 3 and 6 (much of Islip, Southampton, and Riverhead, and nearly all of Brookhaven townships), call for the installation of a community sewerage system where any parcels in a new residential subdivision or development are less than 40,000 square feet in area or where the development is within an existing sewer district or where the groundwater conditions are not conducive to proper functioning of individual sewerage systems. The same applies outside Zones 3 and 6 where parcels are less than 20,000 square feet in area. Furthermore, Article 6 requires the installation of a community water supply system when the new subdivision is located within an existing water district, the groundwater is non-potable, any parcel is less than 40,000 square feet, or individual wells cannot provide an aver-

age yield of 5 gallons per minute of fresh potable water.

While many environmentalists have praised the enactment of Article 6, homebuilders have been outspoken critics. The L.I. Homebuilder's Institute contends that it is inappropriate for the Health Department to be involved in zoning and subdivision regulation and that the best way to protect groundwater quality is to control the quality of the effluent being discharged. "The key element in attaining a reduction in groundwater pollution is to concentrate efforts in controlling the quality of discharges upon or into the ground and *not* to pursue a strict land use control program which applies only to future uses. Quality control of discharges addresses itself not only to the containment of further pollution from existing uses but also to future growth," says Tom Junor, Executive Vice President of the LIBI.

If some compromise cannot be worked out between health officials and builders, Article 6 may soon be the subject of a courtroom battle.

THE SUFFOLK DETERGENT : CONTINUE OR REPEAL?

Water sample analysis has revealed a dramatic decrease in the presence of detergents in the ground and surface waters of Suffolk County over the past decade since the institution of a ban on the use of detergents by local law in 1971. This has prompted some local officials to recommend a lifting of the ban and Suffolk County Legislator Joseph Rizzo is sponsoring such a bill. Supporters of the bill point out that the type of detergents which originally caused problems in Suffolk are no longer manufactured and that many county residents have been using detergents purchased outside the county.

The Suffolk County Department of Health Services has gone on record in support of the ban repeal, but concern has been voiced from other quarters including the Suffolk County Water Authority.

The 208 CAC, at its January meeting, requested that a full environmental review of this legislation be conducted. The Suffolk County Council on Environmental Quality, upon the advice of the County Attorney's Office, subsequently ordered the preparation of an environmental impact statement. The review process, which will include a public hearing on the EIS, should be completed soon, following which the CEQ will submit its recommendations to the County Executive and legislature.

WATER QUALITY AND THE PINE BARRENS

As concern about groundwater quality on Long Island increases, attention has begun to focus on the vast, uncontaminated aquifer lying beneath the Pine Barrens of Suffolk. Situated within Water Quality Management Zone 3, the Pine Barrens encompass an area of over 75,000 acres. Pitch pine and several species of oak are the predominant vegetation. Most of the soils are excessively well drained sands, making this a major recharge area for the Magothy Aquifer. The quality of water in both the Upper Glacial and Magothy Aquifers beneath the Pine Barrens is excellent.

The 208 Study identified this zone as a critical area for groundwater protection. In 1978 the NYS Department of Environmental Conservation created a special Task Force to address the issues of protecting the Pine Barrens for its ecological as well as its water resources value. Earlier this year, the L.I. Regional Planning Board began a comprehensive master planning program for the Pine Barrens. In addition, congressman William Carney has proposed legislation to create a national Pine Barrens Reserve.

The 208 CAC has received briefings on the RPB's planning program and has discussed the provisions of the Carney legislation. Furthermore, several members of the CAC are serving on the Pine Barrens Planning Council which was created to advise the RPB throughout the planning program.

SOME GROUNDWATER QUALITY LAWS: A PRIMER

One of the things that makes groundwater quality management so confusing is the plethora of laws. The following is a brief summary of the major federal and state statute.

- *Clean Water Act of 1977 (CWA)* Amends the Federal Water Pollution Control Act of 1972: gives EPA authority over both ground and surface waters; requires states to promulgate groundwater quality standards; Section 208 pertains to comprehensive water quality management programs which deal with treatment and prevention of water pollution; administered by EPA.
- *Safe Drinking Water Act of 1974 (SDWA)* establishes drinking water standards and treatment technologies for public water supply systems; establishes the Underground Injection Control Program; provides for the designation of sole-source aquifer regions; promulgates Primary Drinking Water Regulations; administered by EPA.
- *Resource Conservation and Recovery Act of 1976 (RCRA)* expands federal role in land disposal of municipal waste and in treatment, storage, and disposal of hazardous waste; provides for regulation of solid waste disposal facilities and for regulation of hazardous waste discharges into groundwater; administered by EPA.
- *Toxic Substances Control Act of 1976 (TOSCA)*: provides for direct regulation of specific chemical products; provides for the regulation of toxic chemicals when the possibility of a health risk exists; administered by EPA.
- *State Pollution Discharge Elimination System (SPDES)*: a permit program applicable to discharges of sewage, industrial waste, or other wastes to ground and surface waters as authorized under the CWA National Pollution Elimination Discharge System; administered by NYSDEC and SCDH.
- *State Environmental Quality Review Act (SEQRA)*: requires consideration of environmental factors in the early planning stages of government-sponsored or permitted projects; administered by NYSDEC and local government agencies.

DID YOU KNOW THAT . . .

. . .An estimated 46 billion gallons of human wastewater (roughly 44 gallons daily per person) is produced annually on Long Island, 60% of which is treated by on-site disposal systems. In Suffolk County, 950,000 people reside in unsewered areas. Though there are nitrate reductions of 15-20% within septic tanks or cesspools and an overall maximum reduction of up to 60% by these systems, nitrogen cannot be chemically removed from percolating wastewater.

. . .In general, most of the nitrogen applied to turf in the form of fertilizer is lost to ground and surface waters. Long Island's heavy rains and sandy soil conditions exacerbate nitrate leaching due to the inappropriate use of fertilizers. Studies have shown that this loss can be reduced substantially by careful management, curtailing excessive usage, and substituting organic, slow-release fertilizers for present fast acting ones.

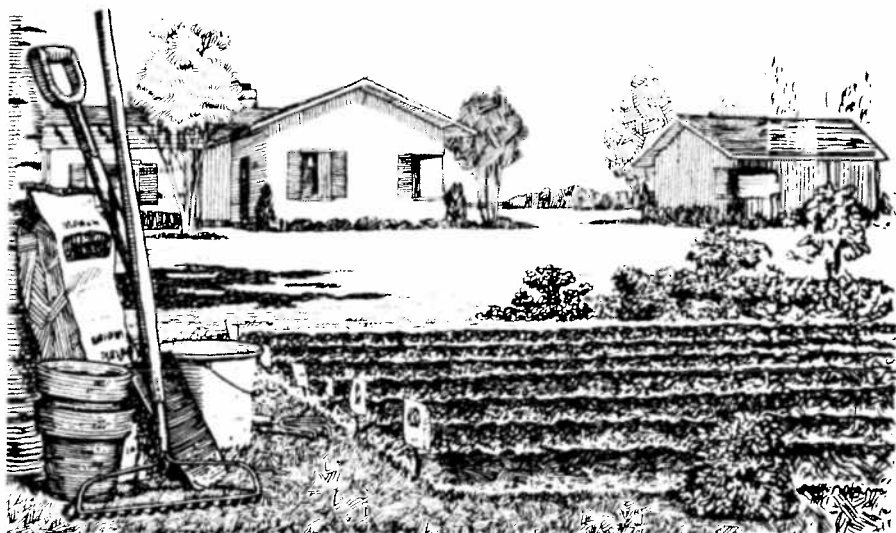
. . .Rain washes through the 40 active or abandoned landfills on Long Island and forms leachates that contain organic pollutants, iron, chloride and heavy metals. Runoff from the 800 acres of landfills has the potential to produce 320 million gallons of leachate per year and the problem may get much worse since solid waste in Suffolk alone is expected to more than double by 1990 to 2,700,000 tons per year.

. . .The incidence of detergents in surface waters has decreased drastically. The Suffolk County Water Authority (which tests every stream in Suffolk twice a year) recently tested Amityville Creek, once the most detergent-polluted stream in Suffolk, and compared the results to tests taken 10 years ago. With an allowable detergent level of 0.5 milligrams per liter, 1969 levels were 0.4 and 0.8, peaking at 1.5. Levels in 1979 were 0.03, 0.13, 0.14 and 0.10.

LAWN FERTILIZATION SEMINAR WELL ATTENDED

Over 200 landscapers, environmentalists, planners, and governmental officials participated in a one-day seminar on Lawn Fertilization and Water Quality held at Farmingdale Agricultural and Technical College on January 20. Sponsored by the L.I. Regional Planning Board and the Cooperative Extension Associations of Nassau and Suffolk counties, the seminar featured presentations by water resource specialists and landscape specialists from Cornell University, plus industry representatives. Topics included the results of lawn fertilizer use surveys, current lawn and golf course fertilization practices, and various ground covers that can serve as low maintenance alternatives to turf.

Proceedings of this seminar have been compiled and will be available from the L.I. Regional Planning Board, H. Lee Dennison Building, Hauppauge.



AGRICULTURAL PESTICIDES AND WATER QUALITY IN EASTERN SUFFOLK

Ever since traces of the highly toxic pesticide Temik, used on potato crops, was discovered in the groundwater of eastern Suffolk, government officials, water resource experts, and agriculturalists have pooled their expertise and resources to assess the situation and to identify remedies. A sampling of 8000 wells located throughout the farming area revealed that a large number of water supplies are contaminated. Subsequent small-scale samplings have also revealed the presence of Telone, a soil fumigant, and Carbofuran, another pesticide used on potatoes. Many owners of contaminated wells were provided with carbon filters to treat their drinking water.

AVAILABLE FROM COOPERATIVE EXTENSION

The following bulletins and fact sheets on water quality and related topics are available free from Cooperative Extension of Suffolk County, 246 Griffing Avenue, Riverhead, NY 11901; phone 727-7850:

- *Suggestions for Preventing Water Pollution for Homeowners* (8-page bulletin)
- *Lawn Fertilization* (2-page fact sheet)
- *Fertilizing Home Flower and Vegetable Gardens* (1-page fact sheet)
- *Fescues for Home Lawns* (2-page fact sheet)
- *The Pine Barrens: Long Island Wilderness* (8-page bulletin).

CAC UPDATE

Hazardous waste management, pesticide contamination, and land use regulations were the subjects of presentations heard by the 208 Citizen Advisory Committee during the past few months.

Dr. Aldo Andreoli of the Suffolk County Department of Health Services reviewed the new County Sanitary Code regulations (Article 12) pertaining to the storage and handling of hazardous materials such as petroleum products and industrial chemicals; the provisions of Article 6 of the County Sanitary Code pertaining to minimum lot sizes for residential developments in Water Quality Management Zones 3 and 6; and the status of the Temik contamination of groundwater in eastern Suffolk.

The industry view of hazardous waste management was presented by George Lawrence, President of the Association of Processors of Liquid Resources, Inc. Anthony De Costanza of the NYS Department of Environmental Conservation presented an overview of the State's plan for managing hazardous wastes.

Concerns of the Long Island housing industry relative to groundwater protection and other environmental regulations were presented by Thomas Junor, Executive Vice President of the L.I. Builder's Institute.

Periodic updates on the progress of the NYS Groundwater Management Program were made by Philip Barbato of the Department of Environmental Conservation. The 208 CAC provides public input for the Long Island elements of this program.

Ms. Sarah Meyland, Co-chairperson of the NYS Legislative Commission on the Water Resource Needs of Long Island made a presentation on the proposed federal legislation to create a Long Island Pine Barrens Reserve designed to help protect the groundwater of Water Quality Management Zone 3.

Much time has also been spent discussing the report *Readily Implementable 208 Plan Recommendations and Management Agencies* published by the L.I. Regional Planning Board last September. This document identifies those recommendations of the 208 Plan that can be readily implemented and the appropriate agency to implement each.

The CAC meets each month (usually the third Monday) from 5 to 9 p.m. in the 12th floor conference room of the H. Lee Dennison Building, Veteran's Memorial Highway, Hauppauge. Further information can be obtained by contacting Michael Volpe at 360-5200.

CAC VOTING MEMBERS

Category of Interest	Representative	Affiliation	Phone Number
Academic Community	Morton Strassberg (VM)	Suffolk County Community College	751-8650
	Fred Wolff (A)	Hofstra University—Geological Dept.	560-3291
	Julian Kane (VM)	Hofstra University	466-0797
Agriculture	Rodney A. Leuthard (VM)	L.I. Farm Bureau	727-3777
	John White (A)	L.I. Farm Bureau	277-2910
	Dr. Maurie Semel (VM)	L.I. Horticultural Research Laboratory of the Cornell University Agricultural Experiment Station	727-3595
Business Community	Howard Engel (VM)	L.I. Association of Commerce & Industry	574-2429
	Thomas Junor (A)	L.I. Builders Institute	694-7810
	Edward Parthe (VM)	Marine Contractors Association	226-8646
Citizens Association	Adrienne Wilson (VM)	Nassau County League of Women Voters	
	Esther Ernst (A)	Nassau County League of Women Voters	
	Diane Lundegaard (A)	Four Town Civic Association	667-4178
	Adelaide Flatau (VM)	Suffolk County League of Women Voters	979-2217
Disadvantaged Citizens	Rev. Jack Alford (VM)	Exec. Dir. L.I. Council of Churches	727-2210
	Rev. Dedra Kimensky (A)	L.I. Council of Churches	653-4763
	Horace Wells (VM)	L.I. Council of Churches, Retired Persons	727-4056
Environmental/ Conservation	John Black (VM)	L.I. Audubon Council—Biology Dept., Suffolk C. College	233-5294
	John Finkenberg (VM)	Marine Environmental Council of Long Island	661-1278
	Pat Santora (A)	Huntington Audubon Society	427-4150
Labor	James Heatley (VM)	Engineers Union 138, 138A, 138B	265-2652
L.I. Water Conference	Robert Reid (VM)	Shorewood Water Company	928-3555
Recreation	Arthur Mittelstaedt (VM)	Nassau Recreation Conservation and Parks Association	567-4300
	Warren Goercke (VM)	No. Brookhaven Sport Fishermen's Club, Inc.	567-5760
Government	Lorne Birch (VM)	Hempstead Town, Planning Department	538-7100
	Joy Squires (VM)	Town of Huntington	368-1240
	Jeremy Barth (A)	Town of Oyster Bay	
	E.C. Stephan, Chairman		
	David Newton, Vice-Chairman		727-7850

Long Island Regional Planning Board
Citizens Advisory Committee
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 Hauppauge, New York 11787

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