

SEWAGE POLLUTION RIGHT TO KNOW LAW AND REGULATIONS



Department of
Environmental
Conservation

Frequently Asked Questions

How do the proposed changes to the regulations affect the public?

The public will now be notified within 4 hours of discharges of untreated or partially treated sewage from publicly owned treatment works (POTWs) and publicly owned sewer systems (POSSs) that have reached a waterbody (stream, river, reservoir, lake, estuary).

What are the proposed changes to the regulations?

The Sewage Pollution Right to Know Act requires changes to existing regulations. The Act requires that untreated and partially treated sewage discharges be reported by POTWs and POSSs within two hours of discovery to DEC and the Department of Health (DOH) and within four hours of discovery to the public and adjoining municipalities.

Prior to the law, municipalities were required to notify DEC of sewage spills within 24 hours. In addition, only spills that occurred near a public drinking water in-take, bathing beach or beds of shellfish had to be reported to DEC and DOH within 2 hours. Furthermore, there was no requirement for the municipality to report a sewage spill to the public.

How are municipal sewage spills reported?

Municipalities will use NY-Alert to report a sewage spill to DEC, DOH, adjoining municipalities and the public.

Do all sewage spills need to be reported?

Sewage spills from POTWs and POSSs need to be reported to DEC and DOH within 2 hours using NY-Alert, unless the facility is discharging in accordance with a DEC approved plan or permit.

How does DEC report sewage spill information statewide?

Recent NY-Alert sewage spill public notifications are posted on www.dec.ny.gov/chemical/101187.html.

Sewage spill information received by DEC is posted as an Excel file to DEC's website regularly. A link to the Excel file is posted at www.dec.ny.gov/chemical/90321.html.

Annually, sewage spill reports will be summarized in DEC's State Pollution Discharge Elimination System (SPDES) Compliance and Enforcement Annual Report posted on DEC's website at (www.dec.ny.gov/chemical/62557.html).

Are there exemptions from reporting?

Discharges of partially treated sewage directly from a POTW operating in compliance with an approved DEC plan or permit are exempt from reporting.

What is a combined sewer overflow?

Combined sewer systems (CSS) are sewer systems that are designed to collect stormwater runoff, domestic sewage, and industrial wastewater in the same pipe and bring it to the POTW.

During rain events, when stormwater enters the sewers, the capacity of the sewer system may be exceeded and the excess water will be discharged directly to a waterbody through a combined sewer overflow (CSO) pipe.

How do I know where a CSO outfall is located?

DEC requires CSO communities to install signs at all CSO locations to inform the public. To find out if you live, or recreate in a CSO community, visit the CSO Wet Weather Advisory web page at www.dec.ny.gov/chemical/88736.html.

Are municipalities required to report CSO events?

Yes. If a municipality has a CSO discharge during dry weather, they are required to report the discharge through the NY-Alert system.

How is DEC addressing CSO reporting to the public?

DEC is using a variety of solutions to accommodate differences in reporting capabilities of CSO communities. DEC is encouraging CSO communities to report CSO events using the CSO template in NY-Alert. Some communities are creating municipal public notification websites (example: Albany Pool). Other CSO reporting mechanisms include: wet weather CSO advisory, discharge monitoring reports, annual reports, modifications of plans and permits, and issuing consent orders.

How do I submit written comments on the draft regulations?

The comment period will close at 5 PM on July 31, 2015. Written comments can be mailed to:

Sewage Pollution Right to Know Law Comments

NYSDEC – Division of Water

625 Broadway, 4th Floor
Albany, NY 12233-3500

Or emailed to: sprtkcomments@dec.ny.gov

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