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TODD KAMINSKY
Assemblyman 20th District
Nassau County

July 30, 2015

Sewage Pollution Right to Know Law Comments
NYS DEC - Division of Water
625 Broadway, 4th Floor
Albany, NY, 12233-3500
Sent via email to: sptrtkcomments@dec.ny.gov

To Whom It May Concern:

The New York State Department of Environmental Conservation's ("NYSDEC") proposed rule with regard to the Sewage Pollution Right to Know Act of 2012 is a great step forward for improving the health and safety of the citizens of New York. These new regulations will improve the reporting, alerting, and transparency of publicly owned treatment works and publicly owned sewer systems. The NYSDEC has taken the necessary steps to improve the quality of life for not only the citizens of New York, but also our tourists, fish and wildlife. This proposed rule exceeds the federal standards in similar areas of law and I commend the NYSDEC for taking this bold action.

The proposed rule would implement these objectives by obligating owners and operators of Publicly Owned Treatment Works ("POTWs") and Publicly Owned Sewer Systems ("POSSs") to report untreated and partially treated sewage discharges to DEC and health authorities within two hours of discovery regardless of the location of the discharge or the waterbody it may impact. The proposed rule also requires these entities to continue reporting the discharge for each day after the initial report is made until the discharge terminates. In contrast, existing regulations provide that State Pollution Discharge Elimination System ("SPDES") permittees are only required to report untreated and partially treated sewage discharges within two hours of discovery if the discharge would affect a bathing area during the bathing season, shellfishing or a public drinking water intake. Currently, there is no obligation to continue reporting after that initial report is made. The general public will now be notified of these discharges by the DEC through appropriate electronic media to ensure that all New Yorkers are apprised of the situation.

These new regulations come at a minimal cost to all parties involved and the proposed rule provides for better health and safety for the citizens of New York. The improved reporting will allow the NYSDEC, New York State Department of Health, and local health authorities to take appropriate action in the future to remedy these discharges in a more speedy fashion. As a result, I heartily endorse these new measures.

Sincerely,

Todd Kaminsky
Member of Assembly